Report to the Legislature

Provincial Advocate
for Children & Youth

ABOUT THE DESIGN

We believe the most powerful voice for young people is their own. The weaving motif that ties together this year's report reflects the Office's incorporation of young people's needs, experiences, ideas and leadership into every aspect of our work. It speaks to the interwoven and mutually supportive ways that our youth, staff and adult allies collaborate as partners. The woven collages that appear throughout the layout also reference the many intersecting identities and issues experienced by the young people in our mandate. Like weaving, the work of our Office is an ongoing process that requires continued care and creativity to close gaps in the fabric of our children's service system.

Provincial Advocate *for* Children & Youth

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for Children and Youth
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HIGHLIGHTS 2015

PROVINCIAL & DEMONSTRATION SCHOOLS

This year the Office partnered with students in Ontario's provincial and demonstration schools to help form an advisory group to explore issues of concern to them about their education and to discuss improvements they would like to see in the upcoming year. Concerns raised in discussions included the quality of their education, teacher performance and qualifications, how stereotypes are affecting their learning environment and rules that deny them proper educational support. They are also planning to create a multi-media public education tool to create greater awareness of their lives.

I HAVE SOMETHING TO SAY

This year the "I Have Something to Say" project launched a website and Facebook account and invited young people, their families and caregivers to participate in an open dialogue about their needs. We received over 150 submissions in the form of written work, art, songs, videos and other media that expressed their ideas for change. On December 3, 2014, the International Day of the Disabled, we held a live-streamed session at the University of Toronto where young people shared their lived experiences and identified the gaps that exist between policies of government and the quality of their lives. A youth advisory committee of more than 40 young people with a disability or special need are working to ensure their voices continue to be front and centre in advocacy services in this area of our mandate.

FEATHERS OF HOPE JUSTICE & JURIES FORUM

In 2013, the Honourable former Supreme Court Justice Frank Iacobucci led an independent review of First Nations representation on Ontario juries. A submission made by our Office to include the voices of young people in the process of transforming Ontario's jury process became recommendation #7 in his final report. In November 2014, more than 150 First Nations and Métis youth from communities in northern Ontario, including remote and fly-in communities, met in Thunder Bay for 5 days to share their experiences and ideas for improving Ontario's jury process and justice system. A report summarizing their ideas will be released in the next fiscal year.

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MESSAGE FROM THE ADVOCATE

With every passing year the gap grows between the promise that Ontario has made to children and the lived experience of young people in the mandate of my Office. For example:

- The last time the province articulated a vision for child protection services was in 2005 when it released a document titled, *Child Welfare Transformation 2005: A Strategic Plan for a Flexible, Sustainable and Outcome-oriented Service Delivery Model*. However, an enormous gap still exists between a broader re-visioning of child protection services and the actual experiences of children and youth.
- Promised transformation in the children's mental health sector has been years in the making. Despite announcements for enrichments to funding made in 2011 by the Ministry for Children and Youth Services (MCYS), there continues to be insufficient levels to meet the current needs of young people — leaving another gap.
- The lack of equitable levels of access to education, health, social services and mental health supports to many First Nations communities, compared to what is available to most non-First Nations communities, highlights gaps tied to policies and planning that leaves First Nations children with a legacy of broken promises.
- A persistent gap exists between the promise of our youth justice system's 'relationship custody' model and the actual experiences of young people in Ontario's custody and detention facilities.

It is not our intention to be overly critical of any Ministry, service or person working to improve the lives of children and youth in the province. Rather, we are simply saying we can all do so much better.

Each and every day I have the honour of meeting young people and their allies, who remain committed to realizing a change that has often been promised but never fully realized. They want things to be different for themselves, if possible — if not, for the children and youth who will come after them.

With each call our advocates receive from young people and their allies, and with each new initiative, we partner with remarkable young people to ensure their voices are at the centre of our discussions and actions. We believe that by keeping their voices central, the gap between service strategies, policy frameworks and the reality of young people's daily lives will begin to be filled.

In the following pages we provide profiles and a snapshot of projects we have been working on this year. These profiles are drawn from interviews with some of the advocacy and Youth Amplifier staff here at the Office. As you will see throughout this year's report, when young people have the support and mentorship of adult advocacy staff, their voices — combined with hope and opportunity — lead inevitably to change.

Partnering with remarkable young people takes remarkable allies. Some of the most powerful and important allies for the children and youth in our mandate are the staff who work in my Office. From the person who answers our phone, to those who work on our advocacy and community development teams, to our IT staff who keep us online and connected to youth through the ever changing landscape of social media, we remain committed to the simple and powerful idea of letting young people speak for themselves.

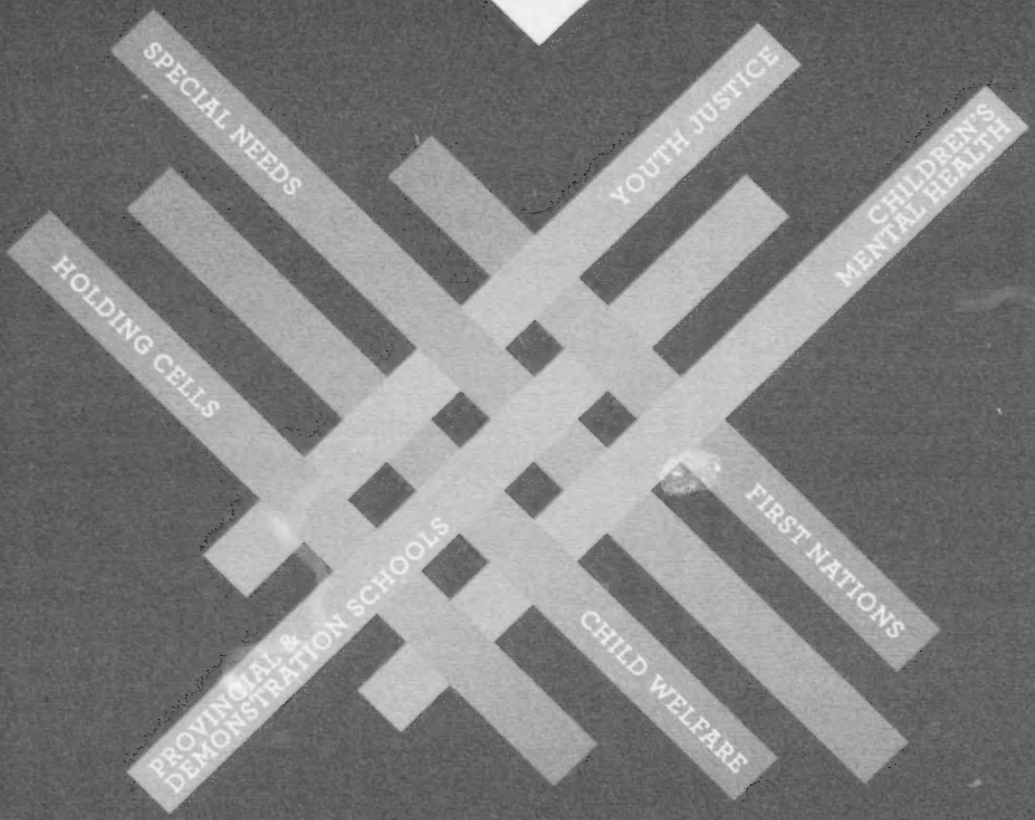
I hope that the young people we serve can see themselves in this report. I hope the staff who are so dedicated to these young people see themselves too. Together, you are the true promise of Ontario.

IRWIN ELMAN
PROVINCIAL ADVOCATE FOR CHILDREN & YOUTH

WHO
WE ARE

The Office of the Provincial Advocate for Children and Youth is an independent office of the Legislative Assembly of Ontario. Our work is guided by the principles of the *United Nations Convention on the Rights of the Child*, including the principles of non-discrimination; adherence to the best interests of the child; the right of all children to life, survival and development; and the right of children to participate.

OUR MANDATE AREAS



The children and youth who fall within the mandate of the Advocate's Office include those who are seeking or receiving services under the *Child and Family Services Act* and young people in care of youth justice and children's mental health. The reach of the Advocate's Office also includes students of the provincial and demonstration schools, youth in court holding cells or being transported to and from court holding cells, First Nations children and youth, and children and youth with special needs.

ELEVATING THE VOICES OF CHILDREN & YOUTH

IN 2007, THE *PROVINCIAL ADVOCATE FOR CHILDREN AND YOUTH ACT* ESTABLISHED THE OFFICE OF THE PROVINCIAL ADVOCATE. UNDER OUR LEGISLATION WE MUST PARTNER WITH CHILDREN AND YOUTH TO:

- Provide an independent voice for children and youth to bring issues forward
- Encourage communication and understanding between children and families and those who provide them with services
- Educate children, youth and their caregivers about the rights of children
- Strive to be an exemplar of child and youth participation

OUR DOMAINS OF ADVOCACY

Our Office undertakes work in three interdependent and integrated areas of advocacy services; soon there will be a fourth.

The foundation of our work is in **individual rights advocacy** (see graphic on page 12), where we answer thousands of calls each year from children and youth, their families, caregivers and others committed to protecting young people's rights and ensuring their voices are heard. An advocate will receive a call from a young person, listen to their concerns and work with them to develop an advocacy plan if that is required. The advocate will follow the plan through with the young person until the issues raised by that young person have been addressed.

When we notice patterns or trends in the calls we receive from young people, we may decide to engage more deeply with the issue through **systemic advocacy**. When we speak of "systems" we are referring to government policy, legislation and guidelines for service providers that determine the way an organization carries out its duties and obligations to children and youth. By "systems" we mean the organizational policies and service practices of organizations. When the Advocate's Office engages in systemic advocacy, we draw on the expertise of young people who have direct experience with the issue. We work with them to recommend changes at the level of policy, funding, program delivery, and in how service providers, decision makers and the public view and treat young people who need government services.

When an issue concerns specific local groups or whole populations of young people, we undertake **community development advocacy.** In these situations, the Advocate's Office engages young people and their natural supports and allies, helping young people become their own advocates by providing them with the skills and awareness they need to help create the change they wish to see. Our community development advocacy also provides outreach and education for young people. We provide children and youth, colleges, universities and community organizations and groups across Ontario with rights education workshops or information sessions about the role of the Advocate's Office.

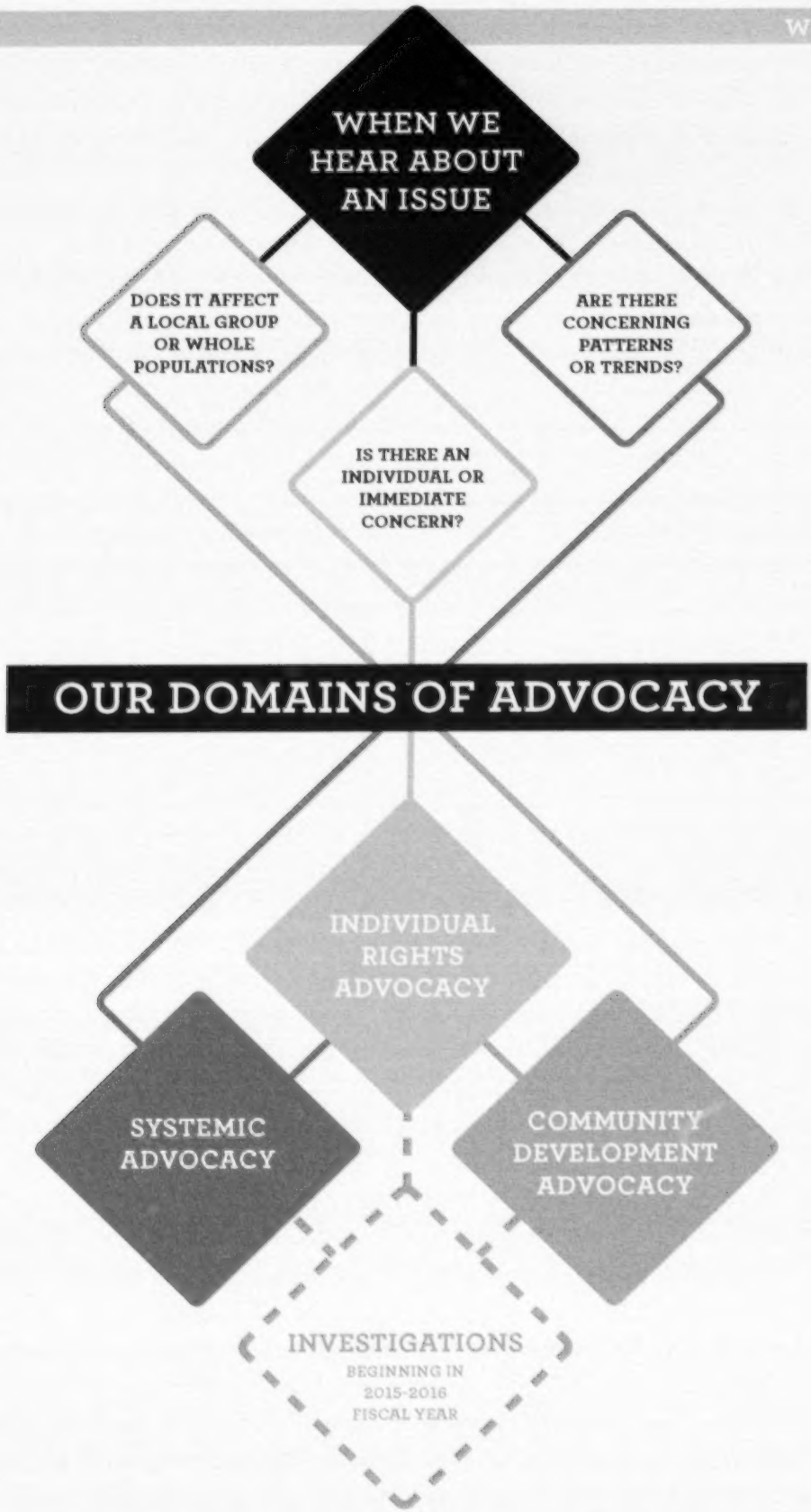
A BROADENING MANDATE

Early in 2016 the Office will expand its work and embark on a fourth area of advocacy specific to **investigations**. The change comes with the passage of the *Public Sector and Member of Provincial Parliament (MPP) Accountability and Transparency Act, 2014* (Bill 8). Bill 8 amends the *Provincial Advocate for Children and Youth Act, 2007,* and enables the Office to conduct investigations and make recommendations for improving the provision of children's aid society services as well as services provided by residential licensees where a children's aid society is the placing agency.

We welcome the granting of new investigative powers. Indeed, we have called for them repeatedly in the past. Bill 8 enables us to obtain documents written by children's aid staff about young people, which will provide us with a more complete picture of their lives. Every investigation will culminate in a report that will provide information for the public and a tool for young people's advocates. The new powers will enhance our ability to safeguard young people's rights and best interests and make us the first independent external body in Ontario able to investigate in this manner. Meanwhile, the young people concerned will remain anonymous in our reports.

As we worked in 2015 to operationalize our new advocacy role we consulted widely – with other professionals who have experience conducting similar investigations and with experts in child protection, residential care and administrative law – to ensure our new service builds on the exceptional work being done across the country. The next step will be to consult with young people to help develop techniques to apply to this new role of our Office.

While Bill 8 will bring about positive change, the provincial government continues to limit our ability to ensure the rights of young people are safeguarded. For example, our new investigative powers do not extend to youth placed in youth justice facilities. They also do not extend to children and youth living in residences that provide services related to children's mental health or special needs – unless the young person is placed in that facility by a children's aid society. We continue to have less authority and fewer tools for carrying out our mandate than other independent provincial and territorial child advocates across Canada. We have been told that this is because broader powers would create additional administrative demands for service providers.


WHEN WE HEAR ABOUT AN ISSUE
DOES IT AFFECT A LOCAL GROUP OR WHOLE POPULATIONS?
ARE THERE CONCERNING PATTERNS OR TRENDS?
IS THERE AN INDIVIDUAL OR IMMEDIATE CONCERN?
OUR DOMAINS OF ADVOCACY
INDIVIDUAL RIGHTS ADVOCACY
SYSTEMIC ADVOCACY
COMMUNITY DEVELOPMENT ADVOCACY
INVESTIGATIONS
BEGINNING IN 2015-2016 FISCAL YEAR

INDIVIDUAL RIGHTS ADVOCACY PROCESS

HAVE QUESTIONS ABOUT THEIR RIGHTS

ARE BEING MISTREATED

NEED INFORMATION

NEED RESOURCES

BEING DENIED CONTACT WITH OUR OFFICE

SERVICES NOT BEING RECEIVED

YOUNG PEOPLE CONTACT US FOR A VARIETY OF REASONS

TELEPHONE

OOVOO

TTY

WEBSITE

THROUGH A VARIETY OF MEDIA

IF THE ISSUE IS OUTSIDE OF OUR MANDATE

WE REFER THEM TO APPROPRIATE RESOURCES

IF THE ISSUE IS WITHIN OUR MANDATE

WE AMPLIFY YOUNG PEOPLE'S VOICES

WE WORK WITH THEM TO DEVELOP AN ADVOCACY PLAN

FOR A FULL LIST OF WAYS TO CONTACT OUR OFFICE, PLEASE SEE INSIDE FRONT COVER

INDIVIDUAL RIGHTS ADVOCACY FOR CHILDREN AND YOUTH

Children and youth in Ontario's systems of care often feel that they are invisible to the province and that their voices go unheard. The *Child and Family Services Act* gives young people in the care of Ontario's residential service system the right to speak to an advocate from our Office. Service providers in these settings must give young people our Office's contact information upon admission and quarterly thereafter. Posters indicating this information must also be visible to youth receiving services from any residential care service provider. Young people wishing to speak to an advocate must be permitted to do so immediately upon request.

Calls received by the Advocate's Office cover a range of issues. For example, young people's calls could be about being mistreated in a facility, being denied visits with their family, about services not being received, wanting to live somewhere else or wanting to learn more about their religion or culture. Each phone call, email or Facebook message from a young person (or any other means they use to contact us), no matter what the concern, is important. We know it may be the first time a child or youth feels listened to and heard, and we understand the power that this act of being heard can have on a young person. Once the youth has contacted us, he or she may work to create an advocacy plan with the assistance of an advocate. The plan sets out who is to be contacted and how. Most importantly, the young person ultimately directs the course that the advocacy plan takes.

When someone other than a young person contacts the Advocate's Office on behalf of a child or youth, an advocate will, wherever possible, attempt to communicate with the young person directly. Office staff must obtain the young person's consent to move forward and, where possible, develop an advocacy plan with that young person.

The Advocate's Office receives many requests for help on behalf of the young people in its mandate and recognizes the vital role that supporters play in helping children and youth obtain the services they need. These "natural advocates" often come from the community in which the child lives and can include service providers, social workers, counsellors, child and youth workers, caregivers, teachers, clergy, friends, family members, coaches and neighbours. Natural advocates are an increasingly important source of support and referral for children and youth in Ontario's systems of care.

INVOLVING YOUNG PEOPLE

Central in the work of our Office is to create a safe space for young people where they can come together and be active in addressing the systemic and other barriers they face in Ontario's systems of care. We believe the most powerful voice for young people is their own and we put young people at the centre of all aspects of our work. In everything we do – from the colour we paint our office walls, to how we describe ourselves – in every report we produce and every call for help and assistance we receive, we consider how to involve young people. Literally thousands of young people are involved in the work of the Office as students, advisors, project leaders, committee members or forum participants.

One major way we help mobilize young people is through the work of our Youth Amplifiers. Youth Amplifiers are our staff and are acknowledged in our collective agreement. They are an example of our larger partnership with young people in all of our initiatives. Youth Amplifiers have diverse backgrounds and they provide unique insights, lived experiences and skills that enrich the Office's advocacy and project work. Drawing on their knowledge is one of the many ways we help bring to light the gaps that exist between the promises of the service system and how it continually fails children and youth. Youth Amplifiers work as part of our advocacy teams, mobilizing youth from across our mandate areas to join youth advisory bodies, participate in dialogue sessions and work with our adult project staff.

"We want to help young people express their truth. Our work supports their desire to heal systems, services and communities so other children do not have to face the same struggles."

YOUTH AMPLIFIER

Many Amplifiers are secondary or post-secondary students. Some have direct experience with the service systems covered by the Office's mandate. Youth Amplifiers do what their name suggests; ensure the voices of young people in Ontario's systems of care are heard by government, the public, service providers and decision-makers in order to bring attention to issues affecting young people's rights. The Amplifiers have been an essential part of the work of the Office over the last seven years.

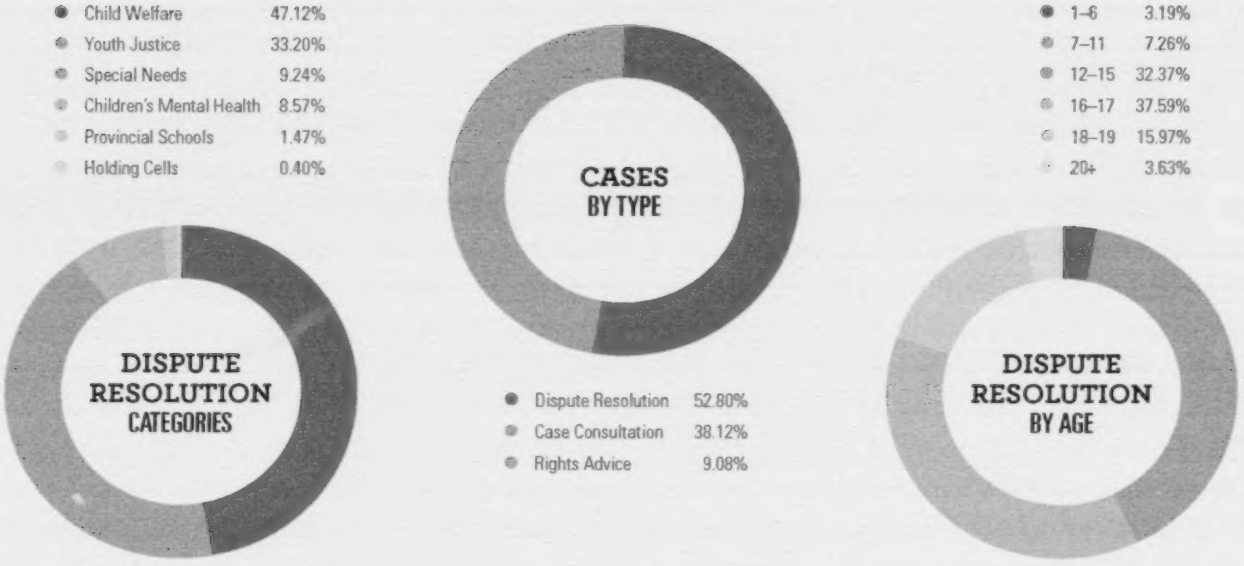
Using a coaching and mentoring relationship, all staff on project teams, including the Amplifiers, reach out to and work with young people across all areas of our mandate. Amplifiers are full members of project teams such as "Our Voice Our Turn", "Feathers of Hope", "Hairstory" and "I Have Something to Say". They reach out and meet with young people to identify issues, concerns and ideas youth have to create change. They work on advisory committees to government, implement special projects and develop reports, education materials and media products that address their concerns.

We have up to 15 Youth Amplifiers working at the Office at any given time. In addition to their involvement in Office-specific projects, Amplifiers also work with other youth-led organizations across Ontario. The contributions of our northern Amplifiers have helped the Office extend its reach and obtain deeper understanding of how young people experience Ontario's systems of care where resources are more limited. They have helped make abundantly clear that young people in the north, particularly First Nations youth, lack equal access to even the most basic services.

CELEBRATING THE FIRST ISSUE OF THE AMPLIFIER MAGAZINE

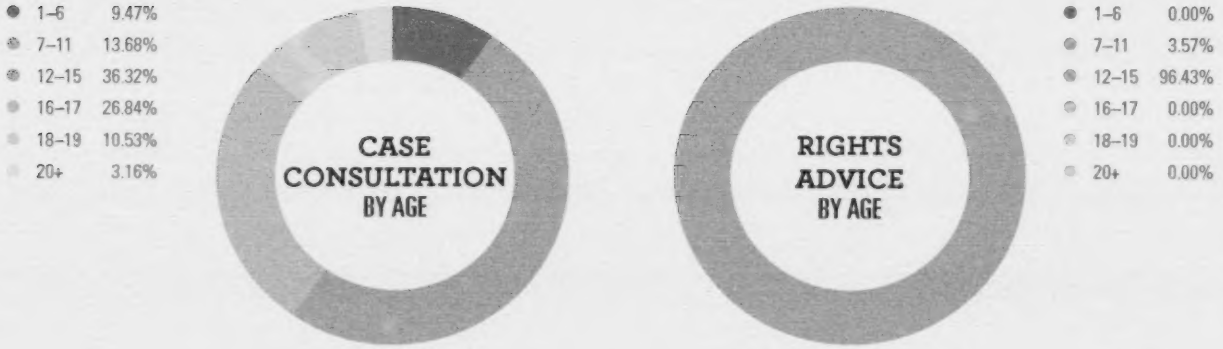
Early in 2015, the Office was proud to publish the first edition of Amplifier Magazine. Produced by youth for youth, the magazine is a collection of art, writing, poetry and personal stories from the Amplifiers and from other young people who have participated in the Office's project work. The magazine gives children and youth a place to share their stories and concerns and speak out about their rights and ideas for change using their creativity and imagination.

bit.ly/amplifiermag



SERVICE STATISTICS

APRIL 1, 2014 – MARCH 31, 2015



In 2014-2015, the Advocate's Office received 2,733 initial calls for assistance. However, this number does not reflect all the calls we received. Missing from this number are calls young people make directly to an advocate with a new problem after their case has already been opened by that advocate. Also missing are calls to the Office's switchboard requesting information that can be provided to young people or their caregivers directly by reception. Still other calls are directed to the appropriate community resource that can respond to the caller's needs.

Advocate's cases fall under three categories: dispute resolution, case consultation or rights-specific advice. **Dispute resolution** means helping a young person create a plan to deal with a conflict in a placement. Disputes could be about unfair treatment, improper staff conduct or a perceived lack of safety. **Consultation** involves providing the young person with information about a specific issue they are experiencing. **Rights-specific advice** is primarily for situations where a young person is detained in emergency secure treatment.

"We've evolved from what was essentially a case management office to an agency that is strident about raising the voices of children."

MIKE FOGELMAN

CHILD AND YOUTH ADVOCATE

I've worked as an advocate in the Office for 13 years. It's been a challenging job, but my greatest pleasure has been in talking to kids and helping them resolve an issue.

As advocates, we use the legislation to help individuals and larger groups of young people realize their rights. I've always felt that an advocate is the person who draws a line in the sand. When people try to cross that line, my job is to either clarify it or simply say, "No, you can't get away with this. You cannot cross this line and infringe on this child's rights." The point is, legislation may say young people have a right to a particular service. But if their rights aren't respected, how can the legislation serve them?

I've seen that important and needed change can happen. For example, we petitioned the government to establish a new service badly needed by children with complex needs – and they did it. They also changed policy to make room for a new evaluation process so that these young people have a better chance of finding an appropriate placement. It's been gratifying to see the Office's role change as well. We've come from a place in which we helped one young person at a time to where we're now taking hundreds of kids to the legislature to speak to the people making policy that affects their lives. We've evolved from what was essentially a case management office to an agency that is strident about raising the voices of children.

"I take direction from the young person seeking the assistance of our Office."

BRIGITTE BARIKAGE

CHILD AND YOUTH ADVOCATE

I've been advocating for children and youth since my career first began 23 years ago. My work at the Advocate's Office follows a rights-based approach to advocacy.

Focusing on children's rights is useful as it prompts us to involve child and youth advocates in the process. This is important because, in Ontario, the systems designed to protect children can sometimes silence or harm them. So our work advocating from outside that system provides an additional layer of safety for children in care.

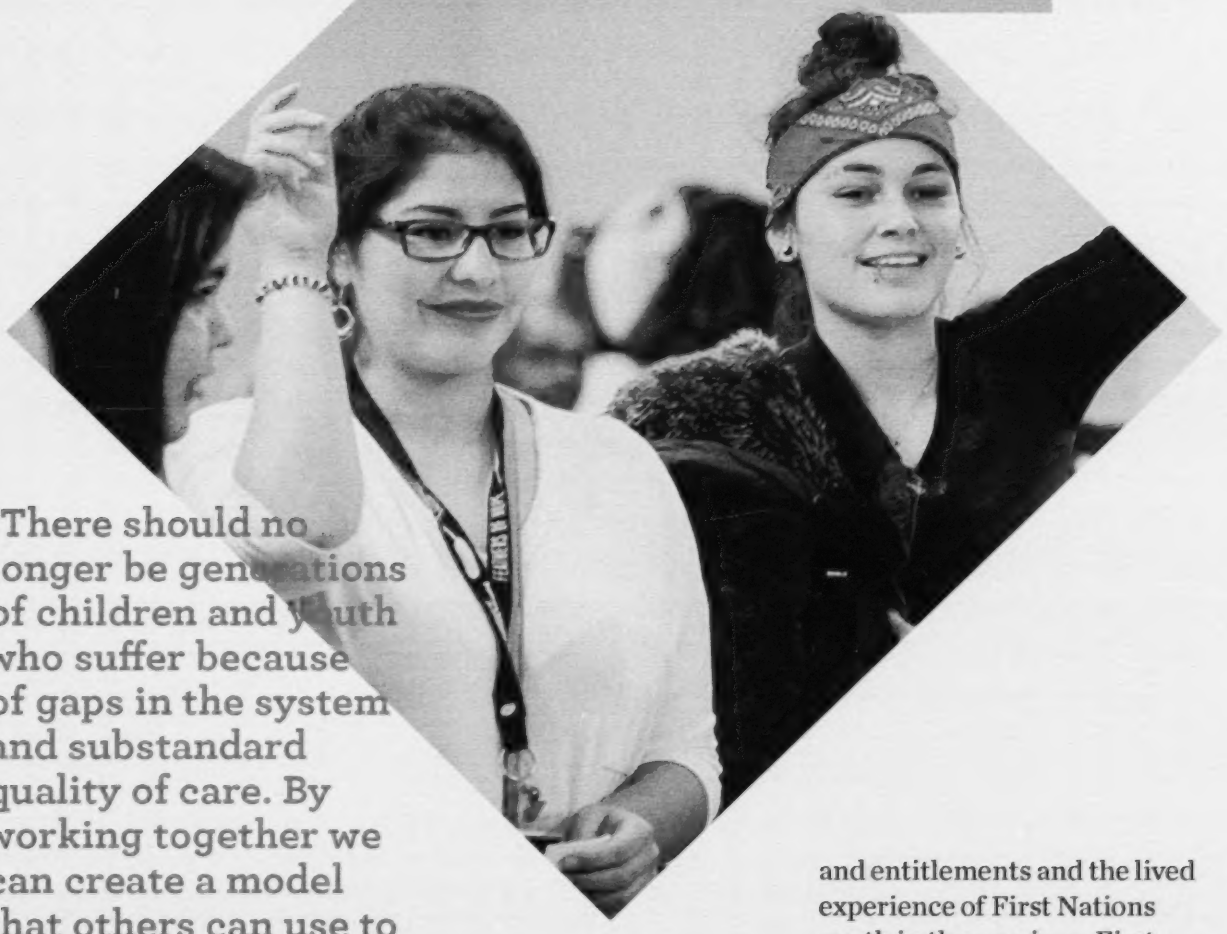
My days are busy. On any given day, I might respond to a young person's or caregiver's concerns, research policies to learn more for a particular case, attend a plan of care meeting for a young person or work on a longer-term project such as the Provincial Schools project. When I hear from a young person, my job is crystal clear: hear the youth's concerns, explore what can be done, come up with a plan. In the end, I take direction from the young person seeking the assistance of our Office.

The biggest challenges I see in the system today are gaps between policy and practice, and a lack of transparency. Some service providers can be reluctant to share information and that becomes a problem when the information is essential for helping a young person with their case. The most important role I play is in elevating the voices of children and youth and helping them navigate the systems that care for them.

PROJECTS &
INITIATIVES

Special projects and initiatives provide another way to bring young people into the centre of our advocacy work. Partnering with Office staff, young people help design or co-lead projects that bring their insight, knowledge and lived experience to bear on finding solutions to local, community or larger systemic problems affecting their lives or the lives of other youth. The ways we work with young people on these activities are as varied as the number and type of initiatives we undertake in any given year. Initiatives could include the development and dissemination of position papers and reports, holding local or province wide youth forums, sharing their stories through social media or other kinds of issue specific advocacy work regarding youth populations in our mandate.

FIRST NATIONS



"There should no longer be generations of children and youth who suffer because of gaps in the system and substandard quality of care. By working together we can create a model that others can use to move forward."

YOUTH AMPLIFIER

First Nations children and youth have the same rights as non-First Nations young people in Ontario and the same protections under the United Nation's Convention on the Rights of the Child. However, in practice, a large gap exists between the promise of rights and entitlements and the lived experience of First Nations youth in the province. First Nations youth, especially in the north, receive inequitable access to education, justice, employment opportunities and medical and social support services compared to their non-First Nations peers in the south. In 2014–2015, the Office continued its work to mobilize young people in support of elevating their voices to obtain equity in supports and services for First Nations youth.

"As First Nations youth, we have the right to fair treatment in the justice system."

YOUTH AMPLIFIER

FEATHERS OF HOPE

Since its launch in 2013, Feathers of Hope has evolved into a First Nations youth movement. From the initial forum to the 2014 release of *Feathers of Hope: A First Nations Youth Action Plan*, thousands of First Nations youth from across Ontario have been mobilized to share their lived experiences and ideas about how government, First Nations leadership, service providers and others can meet their needs, support their communities and remove systemic barriers. This year, the Advocate's Office hosted a special youth forum on First Nations representation on Ontario Juries and began planning a second Feathers of Hope youth forum on the topic of child welfare.

FEATHERS OF HOPE JUSTICE & JURIES YOUTH FORUM

First Nations people are overrepresented in the justice system[1] but underrepresented on juries.[2] As a result, it is virtually impossible for a First Nations person in trouble with the law to be tried by a jury of their peers; the same applies to coroners' inquests. A number of Coroner's inquests have been stalled due to low numbers of First Nations people available for jury duty. One in particular – an inquest into the deaths of seven First Nations youth from Thunder Bay – has faced ongoing delays over the last five years. This is an inquest at which the Advocate's Office has standing. Our interest is based not only on the issue of under-representation, but the rights and pervasive systemic issues we believe are to blame for what happened to these young people.

When the Office learned there was to be an independent review of

1 Office of the Correctional Investigator. (2013). *Backgrounder: Aboriginal Offenders: A Critical Situation.* http://www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20121022info-eng.aspx

2 Ministry of the Attorney General. (2013). First Nations Representation on Ontario Juries: Report of the Independent Review Conducted by the Honourable Frank Iacobucci. http://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/iacobucci/pdf/First_Nations_Representation_Ontario_Juries.pdf

FIRST NATIONS JUSTICE AND JURIES FACTS

4% PROPORTION OF FIRST NATIONS PEOPLES IN THE CANADIAN POPULATION.[1]

23% PROPORTION OF FIRST NATIONS PEOPLES IN FEDERAL JAILS OF ONTARIO'S LANDMASS.[2]

JUDICIAL DISTRICT OF KENORA

33% OF ONTARIO'S TOTAL LAND MASS IS MADE UP OF THE JUDICIAL DISTRICT OF KENORA.[3]

UP TO 36% OF THE JUDICIAL DISTRICT OF KENORA'S POPULATION LIVES ON RESERVE.[4]

LESS THAN 10% OF ON-RESERVE FIRST NATIONS PEOPLE MAKE UP THE JURY ROLE OF THE DISTRICT OF KENORA.[5]

THUNDER BAY, ONTARIO

5% OF THUNDER BAY'S POPULATION IS MADE UP OF ON-RESERVE RESIDENTS.[6]

LESS THAN 1.3% OF THUNDER BAY'S ON-RESERVE RESIDENTS ARE ON THE JURY ROLE.[7]

JURY DUTY REQUIRES THAT INDIVIDUALS SPEAK EITHER ENGLISH OR FRENCH. FOR MANY FIRST NATIONS INDIVIDUALS, THEIR INDIGENOUS LANGUAGE IS THEIR PRIMARY LANGUAGE.[8]

1. Office of the Correctional Investigator. (2013). Backgrounder: Aboriginal Offenders: A Critical Situation. www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20121022info-eng.aspx.
2. ibid.
3. Ministry of the Attorney General. (2013). First Nations Representation on Ontario Juries: Report of the Independent Review Conducted by the Honourable Frank Iacobucci. www.attorneygeneral.jus.gov.on.ca/english/about/pubs/iacobucci/pdf/First_Nations_Representation_Ontario_Juries.pdf
4. ibid., 5. ibid., 6. ibid., 7. ibid., 8. ibid.

the under-representation of First Nations peoples on juries in Ontario conducted by the Honourable former Supreme Court Justice Frank Iacobucci, we submitted a formal proposal asking for the inclusion of young people in the process of finding solutions.

In our submission we offered to host a gathering of First Nations youth from across the province to talk about the relationship between First Nations peoples and Ontario's justice and juries systems. When the final report was released, we were pleased to see that recommendation #7 of Justice Iacobucci's *Independent Review of First Nations Representation on Ontario Juries* supported our call for youth to be part of the discussion by recommending the need for a gathering of First Nations youth. Planning for the gathering moved ahead, and from November 17 to 21, 2014, more than 150 First Nations and Métis youth from communities in northern Ontario, including remote and fly-in communities, gathered in Thunder Bay to discuss the jury and justice system. The meeting was called, "Feathers of Hope: Justice and Juries Youth Forum". The Office worked in partnership with Debwewin,[3] the

3 Debwewin is the committee responsible for implementing the recommendations contained

FIRST NATIONS CHILD WELFARE FACTS

3% OF ONTARIO'S CHILD POPULATION IS MADE UP OF ABORIGINAL CHILDREN.[1]

21% OF ONTARIO CROWN WARDS ARE ABORIGINAL CHILDREN.[2]

5X FIRST NATIONS CHILDREN WHO LIVE ON RESERVE ARE 5 TIMES MORE LIKELY TO BE PLACED IN CHILD WELFARE CARE THAN FIRST NATIONS CHILDREN LIVING OFF RESERVE.[3]

1. Kozlowski, A., Sinha, V. & Richard, K. (2011). *First Nations Child Welfare in Ontario (2011)*. Canadian Child Welfare Research Portal. http://cwrp.ca/infosheets/first-nations-child-welfare-ontario.
2. Ibid.
3. Ibid.

"We have this justice system that I think is broken. I think it has been broken for a long time."

FIRST NATIONS YOUTH

Ministry of the Attorney General and the Ministry of Children and Youth Services to ensure the voices of young people were heard and included in the work of increasing First Nations representation in Ontario's jury system and transforming the justice system to help it better serve the needs of First Nations peoples.

Youth forum participants shared their experiences and ideas for improving First Nations representation on Ontario juries. They also proposed meaningful solutions to address barriers in the judicial system and jury selection process. At the forum's concluding 'listening table', youth participants presented their ideas to First Nations leadership and representatives from government, the police, legal services, social services and representatives from other service sectors. Youth Amplifiers from the Advocate's Office helped organize and lead the forum. They are also working with Office staff, the Ministry of the Attorney General and a youth advisory group made up of forum participants to prepare a report that will reflect the voices, stories and experiences of participants along with recommendations and a plan for action to create change in the system. The report will be released in the next fiscal year.

FEATHERS OF HOPE CHILD WELFARE FORUM

Child welfare was a theme that cut across numerous issues raised at the original Feathers of Hope forum. In fact, the need to explore the issue further at a separate forum was a key recommendation in *Feathers of Hope: A First Nations Youth Action Plan*. At the original forum, First Nations children and youth with past or present involvement in the child welfare system shared their concerns about the lack of access they had to their families and culture when they were removed from their homes. Mention was also made of the fact that First Nations children continue to be removed from their homes and communities at a disturbing rate and that there are more First Nations children in care today than at the height of the residential school system.

The Advocate's Office – in partnership with the Feathers of Hope Working Group, Feathers of Hope Amplifiers, First Nations leadership and the provincial and federal governments – began planning in 2014–2015 a forum to be held in May 2015 in Thunder Bay. The forum will focus exclusively on child welfare. The forum will include First Nations youth from northern Ontario and First Nations youth currently living in southern Ontario but who come from northern communities.

FEATHERS OF HOPE WORKING GROUP

The formation of a Feathers of Hope working group, created in 2014, was one of three key recommendations in the *Feathers of Hope: A First Nations Youth Action Plan*. The working group brings together Feathers of Hope Youth Amplifiers, First Nations leadership from across Ontario, provincial and federal government representatives and Advocate's Office staff to develop strategies and solutions for addressing the recommendations voiced by young people at the original Feathers of Hope forum. Achievements to date have also included the creation of a Feathers of Hope Unit at the Ministry of Children and Youth Services.

The Youth Amplifiers bring to the table the voices of First Nations youth in Ontario. They chair the meetings and lead the discussions and, through the working group, explore opportunities to create real and lasting change at the community level for young people. Through this coaching and mentorship staffing model, Youth Amplifiers are provided with an opportunity to develop critical skills such as working with different levels of government, working with stakeholders to develop a terms of reference and memoranda of understanding, and building consensus among large and diverse groups. Their

in the report: *First Nations Representation on Ontario Juries: Report of the Independent Review conducted by the Honourable Frank Iacobucci.*

HOW WE WORK TOGETHER

"If organizations have a youth voice in their work, a new perspective comes into play. This is what we need for programs and projects to work."

KARLA KAKEGAMIC

Youth Amplifier, Feathers of Hope

I believe in the power of dialogue and the importance of working together to harness the unique skills and knowledge of a diverse group intent on achieving similar goals. When I joined the Office I already had a strong background in youth leadership, serving on the Nishnawbe Aski Nation Oshkaatisak Youth Council and having presented extensively at chiefs meetings on the impact of the Indian Residential School system on the current generation of First Nations youth.

Feathers of Hope creates the space needed for real dialogue between young people and adults so they can create strategies and decisions that will improve the lives of First Nations children and youth. By working together with adults, Feathers of Hope empowers young people like me to make change within their communities as well as become advocates for positive change.

"If young people are given the opportunity to lead young people, the result will be a very effective leadership and generations of leaders to come."

RENEE DAWSON

Community Development Advisor

I find that young people are not as afraid of failure as older people and so they're willing to put forward new and innovative ideas.

The Youth Amplifiers who work with the Advocate's Office have been involved in almost every area of planning and executing the Feathers of Hope youth forums. Their input has been crucial in developing the forums' themes for discussion and social activities. The Amplifiers are also key resources simply by being present and accessible at the Office for other youth to talk and relate to.

In working toward a common goal, these young people get to share similar experiences and realize that they are supported by their peers and that they are not alone, which gives them a feeling of strength. More than that, when they present at the forums they are presenting to decision-makers, which gives them a sense that their words have power and practical purpose.

I'd like to encourage youth 15 to 29 years old and who live in northern First Nations communities to get involved in the work of Feathers of Hope.

"Two things I have learned from being an Amplifier are perseverance and hope – both are incredibly needed when trying to move forward in a positive way and with so many barriers trying to hold you back."

SAMANTHA CROWE

Youth Amplifier, Feathers of Hope

I believe that working together with youth and staff is a key to Feathers of Hope because these diverse perspectives help shed new light on old subjects. I want the world to know that young people and adults working together is crucial to create successful, engaging environments; young people's creativity, intelligence and determination to make things better now and into the future blends perfectly with adults' experience, knowledge and understanding of the realities of today.

Youth and adults working together create a dynamic environment that challenges how people see things. I think it can be the difference in order to achieve the impossible. The daily hardships and struggles faced by First Nations youth doesn't stop them wanting to move forward together in a positive way to create safe, healthy, happy communities for future generations.

work, still early in its development, has led the government of Ontario to create the Feathers of Hope office within the Ministry of Child and Youth Services.

TRUTH AND RECONCILIATION COMMISSION EDUCATION EVENT

Based on a strong working relationship and common focus tied to truth telling, healing and reconciliation, the Truth and Reconciliation Commission of Canada (TRC) asked the Feathers of Hope team to present at the TRC's Education Day event in Toronto on June 1, 2014. The purpose of the event was to educate young people about the work of the TRC and the history of the Indian Residential Schools.

More than 2,000 school children in grades four to twelve from across Ontario and Canada came together to learn about the history and legacy of the Indian Residential Schools. The students heard firsthand from residential school survivors about life in the schools and attended workshops that focused on the work of the TRC. In partnership with Right to Play™, the Feathers of Hope team presented an interactive workshop called "Breaking Stereotypes". The workshop focused

"Generations of First Nations youth have been lost to hopelessness and we cannot wait any longer for change to come to end the continuous cycle of pain. Our requests are not simply for funding, but for First Nations youth to actively participate in shaping the healing processes in our communities."

YOUTH AMPLIFIER

on identifying how stereotypes about First Nations peoples continue to play out in the thinking and perceptions held by far too many people in Canada.

The Amplifiers shared information about the Feathers of Hope (FOH) youth forums and showed the Office's documentary video from the first FOH forum. The workshop ended with a guest panel where Feathers of Hope Youth Amplifiers responded to questions from students in the audience.

WALKING THE RED ROAD

This year the Office was pleased to support the production and launch of *Walking the Red Road*, an advocacy project that was part of North Bay's Urban Aboriginal Strategy. The report brought together elders and youth to create a research and social action strategy for addressing racism, mental health, addictions challenges, unemployment and homelessness. The project incorporated an active youth participation model to help develop the research methodology and engage with the North Bay community (Aboriginal and non-Aboriginal). It raised awareness, improved positive social visibility and created networks of support that will improve the lives of local First Nations young people and the well-being of their communities.

LEARN MORE

Feathers of Hope: A First Nations Youth Action Plan

PUBLISHED FEBRUARY 24, 2014

ENGLISH
bit.ly/FOH_en

FRENCH
bit.ly/FOH_fr

FACEBOOK
bit.ly/foinbay

TWITTER
@FOINBAY

LEARN MORE

Walking the Red Road

PUBLISHED 2014

ENGLISH
bit.ly/Redroad

"I appreciate the experience. I have never had a job like this and it continues to intrigue me more and more every day."

TALON BIRD

Youth Amplifier, Feathers of Hope

If I could have the world really "know" one thing, it would be that the kids I work with through Feathers of Hope matter. They are our future leaders, and I am proud to stand beside them.

The statistics today on the high number of First Nations children and youth in care are startling – and tell a good deal of the story about why this work is so important. I also know how important the work is because I keep getting feedback from youth saying that Feathers of Hope is on the right path.

The model of advocacy that the Office uses works well and keeps getting better as we get more experience. The number one lesson I am learning is to be open-minded, because a team cannot function when people are only seeing things their own way. I am also seeing that working together with CDAs and Advocates improves relationships between adults and young people, which is so important for making real change.

"My connection with young people fills me with hope and enhances every single experience I have as an Amplifier."

RYAN GILES

Youth Amplifier, Feathers of Hope

Feathers of Hope has enabled me to help other First Nations young people understand that they have allies – people of all ages and backgrounds working in government and other sectors. Making this clear to them helps young people feel that they are not alone on the path to healing, and that there is indeed hope for true reconciliation.

I believe that through my work with Feathers of Hope I am a positive role model for First Nations children and youth and that this is one of the most important contributions I make as an Amplifier. At the same time, the young people I work with carry a tremendous amount of strength, which helps keep me motivated. They also have tremendous knowledge, which makes each young person I meet a valuable teacher for me.

"I feel as if I am playing a part in changing the world."

SAVANNA BOUCHER

Youth Amplifier, Feathers of Hope

As an Amplifier I want to be part of implementing strategic solutions that can help resolve issues facing First Nations young people. I believe this can be accomplished through collaboration that brings young people together with First Nations, provincial and federal leadership. I want others to know about the young people the Advocate's Office works with and for. I want all of us to come together and do something to improve their lives.

I believe the most appropriate way forward is to link youth, community development and rights-based approaches. This coming together of the minds requires significant input from young people who are working closely with the decision makers – something we're trying to do through our work on Feathers of Hope. Feathers of Hope has the potential to combine balanced and shared leadership and youth-informed and led strategies that can create positive outcomes for First Nations youth.

CHILDREN'S MENTAL HEALTH

"I have finally learned the true sense of equality and advocacy: that the rights of young people are the same as everybody else."

YOUTH AMPLIFIER

LEARN MORE

Project I do Care

ENGLISH
bit.ly/IDC_en

FRENCH
bit.ly/IDC_fr

TWITTER
@PROJECTIDC

Ultimate Health Rights Survival Guide

PUBLISHED 2014

ENGLISH
bit.ly/healthrightsguide

FRENCH
bit.ly/droitsdelasante

A significant gap that exists in the children's mental health system is not one tied to law or policy; it's tied to practice. Stated more precisely, staff working in the system need the training and tools to help them better understand the health rights of young people. Furthermore, this awareness needs to be integrated in practice techniques that support the realization of those rights. Additionally, there is a gap in young people's understanding of their own rights. In 2014–2015, we worked to bridge those gaps through the I Do Care Project.

"Communication is important to me because they need to know my opinion and my choices. They can't guess for me, especially when it comes to health decisions and treatment."

YOUTH

I DO CARE PROJECT: *ULTIMATE HEALTH RIGHTS SURVIVAL GUIDE*

The I Do Care Project began in 2013 when young people told the Advocate's Office that they felt left out of their own lives and health decisions. Many children and youth continue to feel they have been "forced into treatment", "over-medicated", denied access to treatment they want and that their personal information is disclosed without their consent. Many youth also feel that requests to take control of their own health care are not taken seriously.

In building the *Ultimate Health Rights Survival Guide*, young people and adults worked together to generate specific, implementable and sustainable proposals for change. The goal was to identify issues in the care systems that keep young people from knowing and realizing their rights to make decisions about their health and bodies. In addition, the guide is interactive and helps young people, adults and service providers make sense of the law around health, treatment and rights. It also helps young people (and people of all ages) think through how to make decisions about their health care.

The young people who contacted us about being involved in the project confirmed what we had been hearing from some care providers: that there continues to be a significant gap between health law and policy, and what is actually happening in practice.

KNOW YOUR HEALTH RIGHTS!

THE *ULTIMATE HEALTH RIGHTS SURVIVAL GUIDE* HAS HANDY TIPS FOR YOUNG PEOPLE IN CARE. HERE ARE A FEW THINGS YOUNG PEOPLE SHOULD KNOW:

YOU GET TO MAKE YOUR OWN DECISIONS. Social workers, children's aid society workers, parents and guardians, group home staff and youth service officers cannot decide that you are unable to make your own health decisions. Only a doctor or other healthcare professional can decide whether or not you can make a health decision.

"YES" ONCE DOES NOT MEAN "YES" FOREVER. If you said "yes" once to a treatment, that means you said yes only for that single treatment. Every time your doctor wants to give you a new treatment, change the treatment or continue the treatment longer than you agreed, they need to ask your permission.

YOU CAN CHANGE YOUR MIND. If you can understand the information and what might happen if you take or don't take a treatment, you can decide that you no longer want that treatment.

EACH DECISION ABOUT YOUR CARE IS SEPARATE FROM THE OTHERS. You might be able to make the decision for one kind of treatment but not another. Or you might not be able to make a decision today, but can make it in the future.

"The level playing field that has been established has enabled the team not only to contribute to one another's work, but also to be involved in every detail and execution of this campaign."

CHEYANNE RATNAM

Youth Amplifier, Health Rights Project

I had an excellent experience in care – and I wish that for all young people – so that's where my passion comes from. Also, my personal experience blends well with my professional training (I have a social services worker diploma, and a Bachelors and Masters degree in social work) and work experience. I brought a holistic view to the Project I Do Care team.

My experience with the Advocate's Office was extremely positive and my team felt like a family unit. We learned so much from working with each other and with the young people who participated in the project. We never regarded one another as "lacking" in any way. It was a true knowledge exchange between all parties and we were all on a level playing field. This is very important for young people who may not have much, if any, experience contributing to major projects or actually being listened to.

The *Ultimate Health Rights Survival Guide* captures this idea and recognizes that the young people we work with are resilient and capable. I feel it's important to start helping young people – particularly youth in care – learn to make better decisions at a young age. That way they can build their capacity to continue to make good decision later in their lives when they age out of the system. We don't want to create a pipeline to vulnerability and homelessness. Instead, we want to support young people so they are able to live the lives they want when they leave care.

COLLEEN GRAY

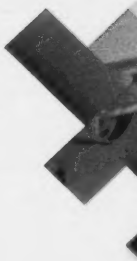
Child and Youth Advocate

When we were gathering members to form the I Do Care project team, my colleague Amanda Hotrum and I sought out young people who brought skills, knowledge and personal experience to enrich the project's work. Working together with these youth staff members stimulated our critical thinking and encouraged us to look more deeply at issues that would help inform the Office's advocacy approach to health rights.

The youth staff took a lead role in facilitating interactive groups across the province, coordinated the social media strategy and worked with the youth advisory group to support the work of the project. They also designed a storyboard to elicit real-life health situations to help ensure the advocacy approach was grounded in the actual experiences of young people.

In the introduction to the *Ultimate Health Rights Survival Guide*, the I Do Care team wrote, "Ultimately, we hope that it will create a change in the care systems so young people and service providers feel comfortable working together and health rights are realized all of the time." The project's success was based on the foundation of a productive and mutually beneficial working partnership between adults and young people.

"The project's success was based on the foundation of a productive and mutually beneficial working partnership between adults and young people."



EUAN HWANG

Youth Amplifier, Health Rights Project

Working as a Youth Amplifier, I've had the opportunity to enhance my understanding about equity and teamwork. My co-workers had so much to share about working from a human rights-based perspective and how that relates to the concept of equity. They never made me feal that I'm not experienced or not equal. They always put me at the forefront of the work and valued my own expertise and lived experiences.

I Do Care Project is important because everyone needs to know about health rights – not just young people, but also caregivers, doctors, lawyers and anyone else involved in the care or support of a young person's health. Before we wrote the *Health Rights Survival Guide*, there was no clear resource available for interpreting all the complex laws that affect health rights.

"Many people don't know that a young person of any age can give (or refuse) consent as long as the young person understands the information that is given to them."

YOUTH JUSTICE

"I don't see how it can help you. Sitting all day looking at a wall just makes you angry and you're sitting on a concrete slab."

YOUTH WITH EXPERIENCE
IN SECURE ISOLATION

A major gap exists in the youth justice system between the promise of relationship custody and the lived experience of youth in the justice system. This can be seen in the way young people are treated in holding cells or secure isolation.

HOLDING CELLS PROJECT

Over the past year the Advocate's Office has continued to speak with young people about their experiences in police and court holding cells in communities north of the French River. These conversations have highlighted institutional practices that we believe fall far short of providing young people with the supports, conditions and encouragement they need to foster rehabilitation.

Young people told us that they had been blocked from contacting the Advocate's Office. They have also reported being detained in cells that were unclean and cold. Others spoke about being offered poor quality food or having only a cold cement slab for a bed.

We are learning more about institutional practices by talking to young people. We are also reviewing policy and practice with respect to police and court holding cells and we are continuing to visit these cells in the north. We are working with the Ministry of the Attorney General and police leadership in the north to make recommendations that will change the conditions of confinement. We are also discussing making improvements such as including more signage in court holding cells instructing young people about their right to call the Advocate's Office. We have begun to prepare a report that summarizes our findings and anticipate that it will be released in the next fiscal year.

REVIEW OF SECURE ISOLATION

The use of solitary confinement, or "secure isolation" as it is known in Ontario's youth justice system, has generated significant concern in Canada and internationally.[1]

In Ontario, questions about the use of solitary confinement have been the focus of recent inquests into the deaths of two young people: Ashley Smith, a young woman who died in a federal penitentiary and a 17-year-old a young man, who cannot be named under the *Youth Criminal Justice Act*, who died in 2008 in a youth justice facility.

Under Ontario law, secure isolation is considered an "extraordinary measure" and is to be used only when a young person's conduct could cause serious bodily harm or serious property damage to another person in the immediate future or when a less restrictive manner of restraining the young person is not practical to use.[2] Secure isolation is supposed to be used strictly as a last resort. Once the crisis has ended, the law requires that the young person must be released from the secure isolation cell.[3]

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1 Mendez, J. (2013). "Report of the Special Rapporteur of the Human Rights Council on Torture and Other Cruel, Inhuman or Degrading Treatment or punishment." *Report No.: A/66/268, 14-15.* Vienna: United Nations; August 2011. Item No.: 69(b) of the 66th session of the United Nations General Assembly. http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A.HRC.22.53_English.pdf

2 Ministry of Children and Family Services, Ontario. "Subject 9.1: Requirements for use of a secure isolation room." In, *Youth Justice Services Manual – Custody/Detention Facilities.* April 2009.

3 Child and Family Services Act, RSO 1990, c C-11, s126(3)(a)(11).

"Police randomly stop you. You are not being charged. They ask you questions such as, where are you going, who your friends are, and where do you live."

YOUTH CARDED BY POLICE

"I have heard kids, yelling, punching walls until their knuckles bleed because they can't take it anymore."

YOUTH WITH EXPERIENCE IN SECURE ISOLATION

"They kept lying. They said it would be for two hours — it was two days."

YOUTH LOCKED IN SECURE ISOLATION

"They told me to clean the cell before I leave and if I don't do a good job I won't get out of here. It wasn't clean when I came in. How did the last guy get out of here?"

YOUTH WITH EXPERIENCE IN SECURE ISOLATION

The Advocate's Office has received complaints from youth about their experiences in secure isolation that suggest the practice is sometimes being used as a punishment. Young people also have complained about a lack of cleanliness in the cells, the presence of bugs and bodily fluids of previous occupants, cramped conditions that limit movement and cold temperatures, to name a few.

In response to young people's complaints and rising concerns in the literature about the harmful effects of solitary confinement – particularly for young people with mental health needs – the Advocate's Office began a review in 2009 of its use in youth justice facilities in Ontario. Over time, we interviewed 141 youth in custody facilities, obtained statistical information and log data from the Ministry of Children and Youth Services for the periods 2009–2010, 2013 and 2014 and reviewed the Auditor General of Ontario's 2012 report on youth justice services in Ontario. We completed a report that summarizes our findings.

POLICE CARDING

The Advocate's Office made a submission to the Toronto Police Services Board in 2014 that makes specific recommendations about the practice of "carding," also called "street checks" and "contacts." The submission examines the legality of carding, the nature of the information collected and the accountability and transparency issues that arise when police collect personal information from individuals who are not under arrest.

Highly contentious is the question of whether carding is even legal under the *Canadian Charter of Rights and Freedoms* and the *Ontario Human Rights Code*. In our opinion, carding should be suspended until it can be demonstrated that the practice complies with legislation. Also contentious is the Toronto Police Service's policy of issuing confusing "interim receipts" rather than duplicate copies of the cards being produced – a practice that contravenes a motion by the Toronto Police Service Board that individuals stopped be provided with duplicate copies of what is being written down by police.

Other concerns we have include indications that blank versions of the form used to issue a card (formerly Form 208 and renamed Form 306) may not be publicly available in future. Our Office believes that all information collected by police should be easily searchable, accessible and retrievable by anyone exercising oversight on the practice of carding, undertaking a freedom of information request or who has a court order.

In the unfortunate event that this practice continues, our submission makes a series of recommendations that lessen the impact of carding. These include that:

- the confusing interim receipt process be eliminated
- a duplicate or mirror copy of information recorded be provided at the time of the stop
- the Toronto Police Service use language that makes it clear the individual being stopped is not being detained by police
- police advise individuals about their rights during such encounters
- police and the Toronto Police Services Board post information on their websites that clearly outlines a person's rights during carding, and they distribute such information widely in the community

AFRICAN CANADIANS DISPROPORTIONATELY CARDED

8.4% OF TORONTO'S POPULATION IS MADE UP AFRICAN CANADIANS.[1]

25% OF POLICE CARDS WRITTEN FROM 2008 TO MID-2011 WERE FOR BLACK YOUTH.[2]

75% DECREASE IN THE USE OF CARDING IN TORONTO SINCE JULY 2013.[3]

27.5% INCREASE IN CONTACT CARDS WRITTEN FOR AFRICAN CANADIANS SINCE JULY 2013.[4]

1. http://www.thestar.com/news/insight/2014/07/26/carding_drops_but_proportion_of_blacks_stopped_by_toronto_police_rises.html
2. ibid.
3. ibid.
4. ibid.

"We need a more transparent approach to planning and service delivery, one that has young people at the centre."

CHILD AND YOUTH ADVOCATE

While some young people have positive experiences in care, others find it can be unpredictable, leaving them feeling vulnerable, isolated and alone. The Our Voice Our Turn movement has made steady progress since 2012 articulating the fears, concerns and hopes of youth in and from care. In 2014–2015, the Advocate's Office continued to support Our Voice Our Turn. We also undertook significant work in multiple areas of child welfare to address persistent gaps between policy and practice.

OUR VOICE OUR TURN, CHILDREN AND YOUTH IN CARE DAY

On May 14, 2012, the Office released *My REAL Life Book* in the Ontario Legislature, giving voice to young people in and from care about the debilitating effects of being left out of their own lives. Among *My REAL Life Book*'s many recommendations was one to establish an annual Children and Youth in Care Day. We were pleased to see the recommendation implemented. May 14, 2014 marked Ontario's first Children and Youth in Care Day.

This first Children and Youth in Care Day in Ontario represents another major milestone for Our Voice Our Turn – an initiative supported by the Office of the Provincial Advocate for Children and Youth to examine the challenges youth face when they age out of the care system. The day provides an annual opportunity for young people in and from care to be heard and to send a reminder to service organizations, government and the general public that these are Ontario's children and we have a collective responsibility for their well-being.

"From the moment they begin their journey in care, to the moment they leave; we need to be there for them. Each year, we plan to use this day to continue to push for changes to the child welfare system, so that all young people in care are supported to become successful adults."

FORMER YOUTH IN CARE

The declaration of May 14 as Children and Youth in Care Day is a tribute to the tireless efforts of the dedicated young people from across the province whose strength and courage to talk openly about their experience in care continues to have an impact today. In *My REAL Life Book*, young people wrote poignantly about the debilitating effects of being left out of their own lives. From the moment they are brought into care they tell us they experience a loss of control over their lives that leaves some young people rudderless when they leave care. While some young people have positive experiences in care, others find that care can be unpredictable leaving them feeling vulnerable, isolated and alone.

Some young people who live in group care mentioned witnessing violence and experiencing or witnessing the use of physical restraints and medication to manage behaviour. They also spoke about how police are called to respond to situations that could have been handled by staff with better skills and training to defuse conflicts.

In the coming year, our Office will be speaking to young people about their experience in group care to determine how often these incidents occur, the circumstances and the extent. We will also partner with young people to find ways to ensure that care providers offer a more consistent experience for young people – one that focuses on providing a supportive and stable environment that fosters positive development and takes into account the needs and preferences of each young person as an individual.

STRENGTHENING THE *CHILD AND FAMILY SERVICES ACT*

RECOMMENDATIONS TO THE MINISTRY

Every five years, the Ministry of Children and Youth Services is required to conduct a comprehensive review of the *Child and Family Services Act* (CFSA), the legislation governing Ontario's programs and services for children and youth. During the Ministry's most recent review in 2015, the Advocate's Office made a series of recommendations based on our understanding of the current realities facing children and youth who are seeking, receiving and leaving services.

Among the recommendations was that the Act formally recognize that children's services should reflect the principles expressed in the *United Nations Convention on the Rights of the Child*. Other recommendations included a legislative requirement that children and youth be placed in school within one month of coming into care and that sibling access be guaranteed if both siblings want it. The Office also recommended whistleblower protection for child welfare system employees not covered by other legislation.

Another key recommendation echoed one made by young people in *My REAL Life Book* in 2013: that the age of protection be raised so that youth 16 to 18 years old can enter care voluntarily. This will allow young people over 16 to seek assis-

tance for abuse or neglect that did not occur until after age 16, a need for support due to the death of a parent or negative impacts on their lives caused by a parent's mental health needs.

CHANGING THE LANGUAGE

The Advocate's Office also pushed in 2015 for fundamental change in the language that the CFSA uses to talk about young people. An organization's culture has a powerful effect on how it regards itself and the youth it serves, and the language of legislation can have a powerful effect in shaping an organization's culture.

To this end, the Office supports the report of the Children in Limbo Task Force, which invited participation by youth from the Our Voice Our Turn movement. The task force found an urgent need to replace stigmatizing words in the CFSA, its regulations and relevant directives, including demeaning terms such as "apprehend," "custody," and "runaway". Changing the language of the CFSA is an important first step toward changing the culture of children's aid societies and showing that children and families are valued, listened to and supported so they do not feel left out of their own lives.

Other opportunities for changing the language of child welfare practice include amending the social work curriculum at colleges and universities, and changing how work training and additional training by children's services are delivered.

ADOPTION AND PERMANENCY

This year we began working on a project to address the issue of 'permanency' – another area in child welfare that requires fundamental change. The project has its roots in feedback provided by young people in care through the Our Voice Our Turn initiative. The consensus view of youth who shared their lived experience with us was that once their time in the system ended they were alone. What they needed was stability or some continuation of the supports necessary to successfully transition to adulthood, employment or continued education. More importantly, they said they needed a sense of "family" however that was constructed. This sense of stability is at the heart of the concept of permanency. It's something young people from intact families can take for granted but that youth lose once they leave care.

The government has supported a variety of approaches to permanency including kinship service, kinship care, customary care and adoption. Ontario can do better. We support adoption, however we argue for a policy that supports adoption when appropriate and necessary - but not necessarily adoption. We argue that 'family' means many things to children and youth in care. Young people have told us in many ways that they build their families; a worker or foster parent can become a part of their family, so too can their friends, relatives, other foster kids or caring adults in the community. We believe that by embracing the concept of 'permanency', the system can offer young people more options and help them construct lifelong familial connections with responsible and

LEARN MORE

My REAL Life Book

PUBLISHED MAY 14, 2012

ENGLISH

bit.ly/myrlb_en

FRENCH

bit.ly/mavlr_fr

supportive adults and peers. We cannot abandon children to an unforgiving system of our own making.

Adoption is not the only route. The Advocate's Office believes that when a person commits to parenting a Crown Ward in whatever way they can – whether as a foster parent, through kinship care, as an adoptive parent, a First Nations community etc. – the province should respond by saying, "thank you for stepping up for the province's child. We have your back, we'll help you do whatever it takes."

Our permanency project, being undertaken in partnership with Adopt4Life and the Adoption Council of Ontario, is designed to listen to what youth in care have to say about 'permanency', 'family' and 'adoption'. We will be working with youth leaders across the province to reach out and talk with youth in and from care about how the province can help them create permanency in their lives. We will hold a summit with young people and stakeholders to discuss what we hear. The goal of the summit will be to help find ways to ensure that youth in care do not leave care feeling alone but instead have lifelong positive relationships to take with them.

In a related project, and with support from the Office, youth and alumni from the Our Voice Our Turn movement issued a set of recommendations on the issue of adoption and permanency for children and youth in care and their families. The group recognized that adoption is not for everyone and that other avenues of providing a 'family' to a child or youth are also valuable and workable. However, the group felt that more emphasis should be on those who want adoption, including older teens. More specifically, the group submitted the following recommendations:

- Wait times for adoption should be decreased by offering more training for adoption workers and by hiring more workers.
- Awareness should be raised that older youth may want to be adopted.
- More subsidies and specialized services should be provided to families that want to adopt.
- More options should exist for open adoptions.
- Family finding should continue to develop across all children's aid societies to ensure that children and youth are placed with family before foster caregivers.
- Children's aid societies should explore all avenues for permanency.

ADVOCATING FOR BLACK YOUTH

Since the release of *My REAL Life Book*, the Advocate's Office has called on the Ministry of Children and Youth Services (MCYS) to formulate a strategy for better serving Black youth in care. Meanwhile, the African Canadian Legal Clinic (ACLC) has been calling on government to address the over-representation of Black youth and families in the child welfare system. In 2014–15, we convened a meeting with MCYS, the Ontario Association of Children's Aid Societies (OACAS) and ACLC to develop a practice framework for use by child welfare staff to improve outcomes for African Canadian children and families who come into contact with the child welfare system.

In this fiscal year, MCYS supported the OACAS and key stakeholders in the Black Community to create a strategy for enabling the system to work more effectively with Black children and their families. We also call upon OACAS to work directly with children and youth, giving them a lead role in finding sustainable solutions. The success of any strategy depends on the extent to which it is created and owned by the community that it is designed to serve. This strategy is no exception.

A REVIEW OF SERIOUS-OCCURRENCE REPORTS

Every day, the Advocate's Office hears from children and youth in residential care (group and foster homes, treatment facilities and youth custody) who tell us they feel alone and are struggling. These children – some taken into care by a children's aid society and others in conflict with the law and

"It's the little things. A social worker who cared would notice. They would show interest in who you are and your personality rather than what you've done or where you've been. Those are important parts of your life but they're not who you are."

FORMER YOUTH IN CARE

under court order – are vulnerable. Many of these children have special needs, including mental health needs. It is the province's responsibility to ensure they receive the services and resources they need.

Nevertheless, things can go wrong. When a young person is harmed in a residential care setting staff must file a serious occurrence report with MCYS. Issues reported can include the use of physical restraints, assaults, suicides, missing person's reports, deaths, charges laid by police or improper care.

Last year the Advocate's Office discovered that more than 20,000 serious occurrences had been reported to MCYS. The number was alarming; prompting us to review a sample of the occurrences so we could better understand what was going on. The Office has started reviewing a sample of 5,000 occurrences to better understand the seriousness and types of issues young people in residential care are facing. When this analysis is complete, we plan to release our findings.

A HOTEL IS NO PLACE FOR A YOUNG PERSON IN CARE

This year, the Advocate's Office learned that children's aid societies in other parts of the country were using hotels and motels to place children and youth when foster and group homes are not available – a situation that leaves young people without proper supervision and care. This prompted us to ask MCYS if hotels and motels were being used in Ontario.

The Ministry of Children and Youth Services told us they did not have the data to say if a similar practice was followed in Ontario. Concerned that the practice might not be in the best interests of children and youth in care, the Office contacted the province's children's aid societies directly to find out if they used hotels and motels. Twenty-four of the 46 children's aid societies we contacted responded, saying that they rarely, if ever, used hotels or motels. However, we did not receive responses from 22 of the 46 agencies we reached out to. As an Office we are concerned about the system's inability to tell us how often hotels and motels are used as placements.

Ontario's *Child and Family Services Act* is silent on the use of hotels and motels. A spokesperson for MCYS has indicated that CASs must use their discretion to place a child in a place of safety but that the act does not preclude the use of hotels and motels. The Advocate's Office is calling upon the province to develop a policy that strictly limits CASs from placing children in hotels and motels. Use of these types of placements should be for emergency purposes only and for as short a time as possible.

OVER-REPRESENTATION OF BLACK YOUTH IN CARE

41% OF CHILDREN AND YOUTH IN CARE OF THE TORONTO CHILDREN'S AID SOCIETY ARE BLACK.[1]

ONLY **8.2%** OF TORONTO'S POPULATION UNDER AGE 18 ARE BLACK.[2]

37% OF CHILDREN AND YOUTH IN THE ORGANIZATION'S CARE ARE WHITE.[3]

MORE THAN **50%** OF THE CITY'S POPULATION UNDER 18 IS WHITE.[4]

1.http://www.thestar.com/news/gta/2013/03/22/toronto_school_suspension_rates_highest_for_black_and_aboriginal_students.html
2. ibid.
3. ibid.
4. ibid.

"A lot of the youth I work with are volunteers that have aged out of the child welfare system themselves. They wish for nothing more than to change the flaws they see in the child welfare system, not for themselves, but for children and youth they know will come after them."

"This project is important because we need to make sure that success is reachable for all children and youth in Canada."

CHELSEA HOPPER

Youth Amplifier, Our Voice Our Turn Project

Although I'm relatively new to the Advocate's Office, I have a profound understanding of the issues most important to the Our Voice Our Turn movement because I'm a former Crown Ward. That means I'm able to relate to the concerns of youth who are dealing with (or have dealt with) the child welfare system.

The work we do is important because many youth and children in the child welfare system have reported feeling isolated, vulnerable and powerless. The sole purpose of Our Voice Our Turn is to allow youth to speak up against these issues so that gaps in the child welfare system can be addressed.

By participating in this work I've learned how to speak confidently at conferences and meetings, which has helped me properly advocate for the youth I want to help. I have also learned that listening is everything; you cannot hope to effect change if you do not really understand the problems youth are facing.

RHONDA ANDALL

Child and Youth Advocate

Young people in care are often stereotyped. Children and Youth in Care Day is a step in the right direction to call attention to the problems these young people face and how the province and support services fail to meet these young people's needs.

As part of the Our Voice Our Turn team, which includes James McGuirk, Kevin Panton, John Meston and Chelsea Hopper – I see Youth in Care day as a celebration of the successes – big and small – for youth in and from the care system and one more opportunity to raise awareness about the issues that affect them.

I believe that the Province of Ontario parents children and youth in care in a manner that receives little or no attention by the public. Unfortunately, this has meant that some young people have been mistreated by the very systems put in place to care for them. As young people continue to elevate their voices and make public their concerns through events such as Children and Youth in Care Day, systems are forced to act.

I see the young people I work with and for as the driving force behind our work. They know exactly what works for them as individuals; all they need is for someone to ask their opinion and invite them into the work that needs to happen. Without them, the work of the office would be incomplete.

INQUESTS

"We will reach out to different parties to help them understand the stories and realities from which the recommendations stem. A face-to-face conversation is needed. Who best to hear it from than the very people that have first-hand experience living in the gaps of a broken system?"

YOUTH ADVISORY GROUP MEMBER AND FORMER YOUTH IN CARE

Coroner's inquests produce recommendations that can help prevent future deaths or injury to young people living in similar circumstances. Inquests are a critical safeguard for children and youth in care and are key to uncovering gaps in systems of care.

FIRST NATIONS YOUTH INQUEST FACES DELAYS

Many First Nations students must attend high school in Thunder Bay and live far away from their families and friends because of a lack of schools in their home communities in the north. As we have learned many students feel the sting of racism and discrimination when they arrive in the city. They note it is hard being there without their families and community. Many end up leaving their studies in Thunder Bay to go home when the loneliness becomes too much to bear or the sense of isolation and not being welcome overtakes them.

We have learned that the barriers to obtaining an education are not limited to the classroom. Many young people from remote and isolated communities arrive in the city with limited knowledge of city life and can easily find themselves in situations that put their safety at risk.

Between 2000 and 2011, seven First Nations young people died under suspicious circumstances in Thunder Bay while attending high school.[1] Five of these youth died in or around water. The inquest will produce recommendations that will aim to ensure safeguards are in place for First Nations children and youth moving forward.

At the time that this annual report was prepared, the inquest process continues to face challenges. The Ontario Chief Coroner reported the inquest would be delayed due to a lack of First Nations representation on jury rolls. We are pleased to see that steps are being taken to find solutions so that the inquest process can proceed with a jury that has First Nations representation.

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1. Reggie Bushie, 15, Jethro Anderson, 15, Jordan Wabasse, 15, Kyle Morrisseau, 17, Robyn Harper, 18, Curran Strang, 18, and Paul Panacheese, 21.

The Advocate's Office has been engaged in the Independent Review of First Nations representation on Ontario juries undertaken by Former Supreme Court Justice Frank Iacobucci. As noted in an earlier section of this report, our Office has offered to host a gathering of First Nations youth in Thunder Bay in November 2014 to open a discussion on this important matter.

JEFFREY BALDWIN INQUEST

In September 2013, responding to a request from the Advocate's Office, the Chief Coroner for Ontario initiated an inquest into the 2002 death of Jeffrey Baldwin. Jeffrey was a five-year old boy who suffered unimaginable mistreatment at the hands of his caregivers. His death was needless and his suffering compounded by multiple failures by systems of care and on the part of adults who in the course of their professional duties came into contact with Jeffrey and his family.

The Advocate's Office had standing at the inquest and convened an internal advisory panel comprising 12 young people from care. The young people attended the hearings and helped the Office prepare recommendations to help prevent another child from suffering Jeffrey's fate.

The inquest provided insights into deficiencies in the child protection system at the time of Jeffrey's death as well as deficiencies that continue today. It yielded 74 joint recommendations to the jury, and the jury's verdict contained more than 100 recommendations aimed at closing gaps in Ontario's child welfare system and introducing the necessary tools and safeguards to better protect children in care. Many of the Office's reflections were included in the recommendations presented to the Coroner. The recommendations are directed at 10 parties, most notably the Ministry of Children and Youth Services, the Ministry of Education, the Catholic Children's Aid Society of Toronto, and all Ontario children's aid societies and their provincial association. As with all inquests the Coroner gave the organizations one year – until February 2015 – to prepare to implement the recommendations.

The Advocate's Office and the advisory panel members have expressed publicly that the weight of the recommendations has the potential to create a turning point for child protection services in Ontario. Meanwhile, the Coroner decided against a jury recommendation to hold a press conference within one year to keep the public apprised of each party's actions to date. In response, the Advocate's Office requested information on each party's progress. Our analysis yielded the following:

- Only 20 percent (22 out of 103) of the recommendations were reported back by the parties as having been "implemented" or "to be implemented."
- More than one third (38 out of 103) of the recommendations were reported as being still "under consideration."
- A number of committees have been struck to review individual recommendations but, in one case, there is little indication that the committee has met.
- Some of the responses failed to indicate any timelines for implementing the recommendations.

Our Office is frustrated and disappointed by the lack of urgency among some parties to move on the recommendations and is committed to continuing to press each organization for action. In addition, the Office will track each recommendation using our inquest database to identify possible trends and issues across inquests. We are also holding meetings with each party to whom recommendations were made to learn more about the actions they are taking and to impress upon them the importance of the recommendations.

ONTARIO'S CHILD DEATH REVIEW SYSTEM

During the period covered by this annual report, the Provincial Advocate, the Ministry of Children and Youth Services and the Office of the Chief Coroner of Ontario have been working together to evaluate Ontario's system of death review for children and youth. Though the discussion is still in its very early stages, we are pleased that the process has been open, honest and generative. Our Office will continue to push for a system that is more open and that includes public participation, especially the voices of children and youth who have been impacted by the child welfare system. We feel strongly that Ontario should take the lead in developing a child death review system that is exemplary and groundbreaking in the way it puts young people's voices at the centre of the discussion.

SPECIAL NEEDS

LEARN MORE

Participate in

I Have Something To Say

ENGLISH

http://provincialadvocate.on.ca/main/en/ihstsg/index.html

FRENCH

http://provincialadvocate.on.ca/main/fr/mots/quelques-mots-sur-notre-initiative.html

FACEBOOK

https://www.facebook.com/IHSTS

"Young people with special needs are young people first, whatever their challenges. These youth need the same opportunities to complete their education, gain employment and participate in their communities."

YOUTH AMPLIFIER

Of the 2.7 million children under 18 in Ontario, roughly 300,000 have special needs and one or more disabilities. These numbers are growing.[1] Despite legislation at all levels of government to protect their interests, young people with special needs report they are not treated equitably and they do not have access to the same resources and services as non-disabled youth.

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1 Source: Ontario Ministry of Education. (2009). *Closing the Gap for Students with Special Education Needs in Ontario: Research Trends and Capacity Building.* Toronto: Ontario Education Research Symposium, Special Education Policy and Programs Branch. Available online: http://www.edu.gov.on.ca/eng/research/speced_gap_paper.pdf

I HAVE SOMETHING TO SAY PROJECT

People experience disability in many ways and the effects of a disability on their daily lives can vary greatly according to socio-economic factors, family situations, and access to resources, local infrastructure and geographic location. Disabilities often involve multiple diagnoses and health conditions, and there is variation within and across categories of disability. This illustrates the importance of seeing each child first and foremost as a *child* and not as a "disability" or "label"; and, second, as a unique individual entitled to rights as well as access to the services and resources that meet their needs.[2] It also necessitates a revisiting of how many in Ontario think about disability and the barriers they and their families face as they work to be fully engaged in the life and activities of their communities.

The I Have Something to Say (IHSTS) project is focused on creating a space where children and youth with special needs can communicate with government, decision makers and service providers about how they can help meet their needs and better support them in realizing their full potential. The initiative launched a website and social media page in early 2014 and invited young people, their families and caregivers to participate in a dialogue about their needs. We invited them to make submissions in the form of written work, art, songs, videos and other media about their ideas for change. We received more than 150 submissions from individuals and groups across the province.

On December 3, 2014, the International Day of the Disabled, the Office held a riveting session at the University of Toronto that was live streamed. The young people in attendance shared their stories about the barriers they face as a result of the gaps in policy, program and funding provided by the Ministry of Children and Youth Services and the Ministry of Health and Long-Term Care, playing out in their daily lives. Children and youth with disabilities face unique barriers to service and presenters shared ideas to improve supports and service they need to reach their full potential.

An IHSTS youth advisory committee was formed in 2014. The more than 40 young people on the committee identify as people with disabilities and special needs or are people who have lived experience within the disability community as an ally or a family member. We also hired Youth Amplifiers to work on the committee and provided them with support through Office staff who sit on our Special Needs Committee. The Office has visited schools, organizations that serve children with special needs, hospitals and community services, and held multiple sessions with other agencies to ensure the voices of young people with special needs are raised in every way possible. In our work as an office, our commitment includes working towards hosting a summit in 2016 so that young people who have been involved in this work can meet with decision makers to create change.

The project is guided in part by the principles of the *United Nations Convention on the Rights of the Child* and the rights afforded under the convention to children with disabilities. Ultimately, the goal of IHSTS is to help fill the significant gap (some would say "chasm") with services and supports they need to be able to say they, like most children, have access to the opportunities they need to realize social inclusion in this province while ensuring their service needs are met.

MENTAL HEALTH ISSUES ARE PERVASIVE

1/5 OF CHILDREN AND YOUTH IN ONTARIO HAS A MENTAL HEALTH CHALLENGE THAT MAY OR MAY NOT HAVE BEEN IDENTIFIED AS A DISABILITY OR SPECIAL NEED.[1]

THE MOST COMMON MENTAL HEALTH CHALLENGES ARE:

- ANXIETY
- ADD/ADHD
- DEPRESSION
- MOOD DISORDERS
- SCHIZOPHRENIA
- EATING DISORDERS[2]

1. Ministry of Children and Youth Services (2009). Mental Health Services. Available online: http://www.children.gov.on.ca/htdocs/English/topics/specialneeds/mentalhealth/index.aspx.
2. ibid.

2 Source: World Health Organization (2011). Available online: http://www.who.int/disabilities/world_report/2011/chapter1.pdf

HOLLY ZHUANG

Youth Amplifier, IHSTS Project

I know well the communication barriers that many children and youth with special needs face in getting the care they need. I am the older sister of a brother with special needs who passed away, so I am familiar with the practice of finding alternate ways to communicate. I have learned that you can communicate with someone without the use of language. When I am with a child who is non-verbal I look into their eyes and try to feel and understand what they are saying without words. I learn and match their way of communicating.

The IHSTS project fills the gap between policy and practice by focusing on improving communication and elevating the voices of children and youth with special needs. With a strong foundation of clear communication – using my heart – the rest of the work just follows.

NIKIE TENTOGLOU

Child and Youth Advocate

The IHSTS project team, which includes me, Janice Purdy, John Meston and Renee Dawson has attended multiple meetings and discussions, and helped organize an extensive social media and submission process to connect with young people and their caregivers about what life is like living with a special need in Ontario. The strategy has been to work with youth to create a platform to tell the Office whatever they wanted – and then ask them to tell us how to move forward.

The Youth Amplifiers I have worked with have been largely in control of the project, using their voices to shape how work progresses, and participating in all discussions and decisions along the way. The Amplifiers know first-hand about the issues that matter most. Although IHSTS is a project still in process, one positive early outcome has been the emergence of a strong youth advisory committee. The committee is highly dedicated to bringing about change and excited about doing so. The committee is "glued together" in a bond that encourages confidence and optimism.

"'I Have Something to Say' tells the life story of not just one person but of a web of people who are involved in the lives of children and youth with special needs."

SAMMY D'AGOSTINO

Youth Amplifier, IHSTS Project

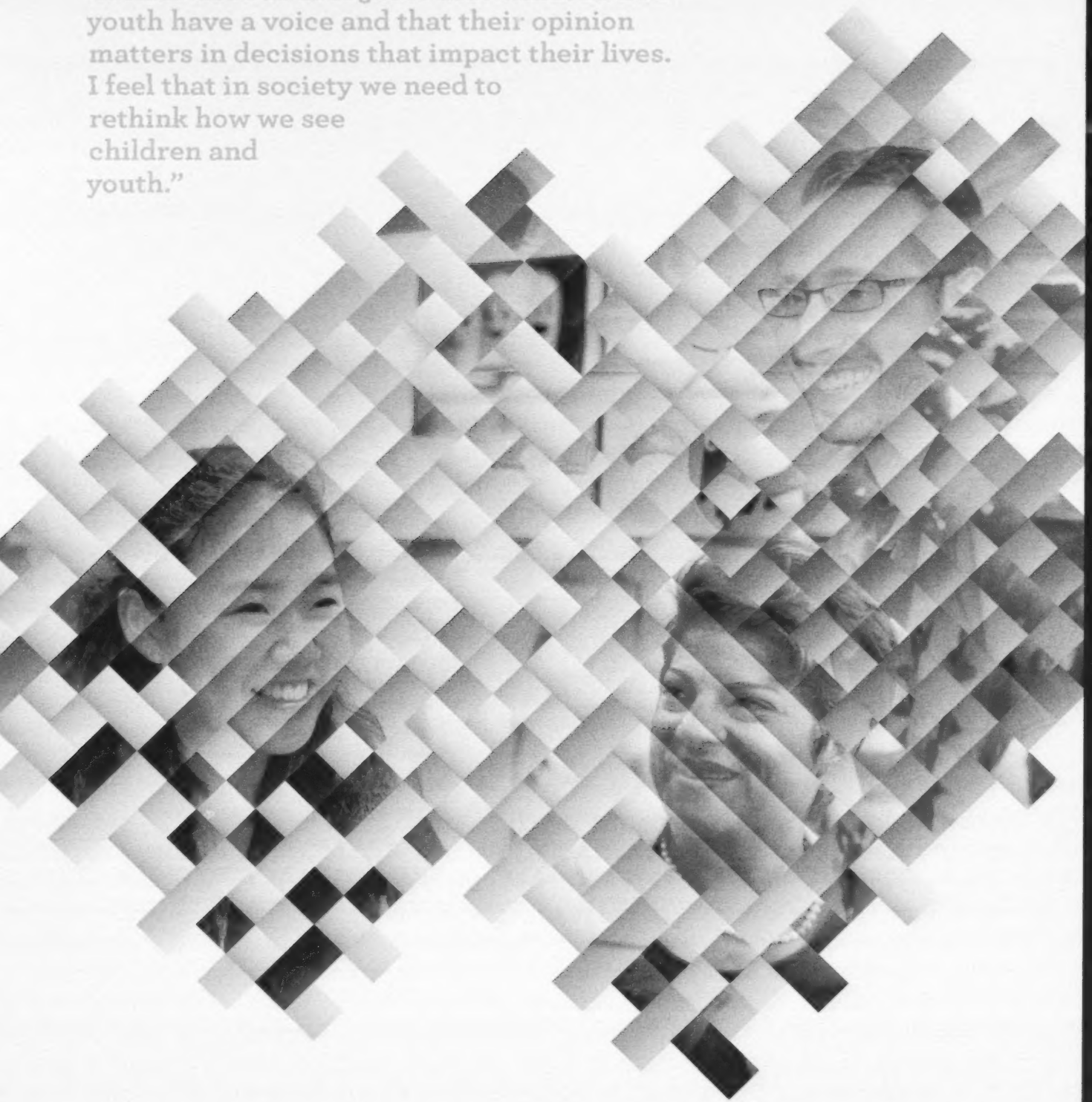
I bring valuable experience to the IHSTS project. Although I am convinced that adults come from a well-intentioned place in their actions on behalf of children and youth, I am well versed in the many ways in which youth voices get lost amid the background noise of an adult society.

I am passionate in my role advocating for social justice on behalf of children and youth with special needs. The work of our team is to tell the world that no matter how old a person is or what community they are part of, they have a voice and a right to express that voice in different ways.

I believe that working closely with adult advocates enables the team to approach our project from multiple perspectives – the advocates work directly with the children and youth, advising them of their rights and helping them make their voices heard, while the Amplifiers provide real-life lived understanding of the day-to-day personal experiences of young people living with special needs.

"Change on this scale starts from the ground up. We need to educate people from a young age. Everybody needs to be educated about special needs and this project has a goal of starting that dialogue."

"Adults need to recognize that children and youth have a voice and that their opinion matters in decisions that impact their lives. I feel that in society we need to rethink how we see children and youth."



PROVINCIAL & DEMONSTRATION SCHOOLS

"Students in provincial schools have told us they feel that the quality of their education is not equivalent to mainstream education."

CHILD AND YOUTH ADVOCATE

The Office conducts monthly visits to Ontario's provincial and demonstration schools. During these visits we communicate with young people through interpreters and interveners about the work of the Office, the rights of children and youth, and the availability of advocates to meet with them one on one. Over the last three years, students at the schools have identified that they have difficulty communicating and bringing their concerns forward to school administration.

"Communication is important to me because they need to know my opinion and my choices. They can't guess for me, especially when it comes to health decisions and treatment."

YOUTH AMPLIFIER

PROVINCIAL SCHOOLS PROJECT TEAM

The relationship students have with staff at their schools prompted us in 2014–2015 to explore the possibility of undertaking a review of provincial schools. However, the provincial schools and the Ministry of Education did not support our plan, principally because the *Provincial Advocate for Children and Youth Act, 2007,* does not specifically mandate us to conduct formal reviews of provincial schools. The stance of the schools and the Ontario government is that reviews fall under the jurisdiction of the Ministry of Education.

In 2014, the Office formed the Provincial Schools Project Team. In meetings with youth attending provincial and demonstration schools, young people shared their issues and concerns and, more importantly, their ideas and strategies for making their voices heard in the system. The meetings have provided an opportunity for young people to connect with peers attending other provincial schools. The meetings have also mobilized the students to create change in their school environments and take on the issue of stigma and the role it plays in how they are treated at school day-to-day.

WHAT WE HEARD

The most common issue voiced by young people in these sessions is the quality of education at provincial schools. They feel it is not equivalent to the level and quality of education provided in the mainstream system. A number of youth in one particular school reflected that they must supplement their learning to achieve the minimum expectations for high school graduates.

Many expressed concern that children and youth who live within a short distance of a provincial school must commute daily and are not permitted to live onsite in the school's residence. This leaves commuting students feeling cut off from their peer culture and community. In addition, those who do not meet a minimum hearing loss requirement may not attend; this forces them to attend conventional schools where they do not receive the educational, cultural or ASL/LSQ supports they need.

Young people placed emphasis on what they perceived as a lack of skill among staff and a tarnished relationship between students and school administration at the schools. For example, many teachers at the provincial schools do not speak the same language as their Deaf students (ASL or LSQ) and do not share or understand the nature of Deaf culture and identity. Blind students expressed a similar concern. They said that staff see them as having a disability as opposed to possessing skills and abilities. For both groups of students this lack of training and awareness leads to stigmatizing and reduced expectations of students' capabilities on the part of teachers. The Office's Provincial School's Project Team is currently working on the next steps of a strategy to bring greater attention to their concerns.

ZAK SMITH

Youth Amplifier, Provincial and Demonstration Schools

"I have a passion for helping other students. I help them see that the Advocate's Office can be almost like a light. Without the light, the students can feel confused and scared."

I've been working with the Advocate's Office since I was 12 years old, helping other students understand that there is someone they can call if they feel they're being oppressed in some way. My work here has taught me that students have a right to an education. I also know that provincial schools don't provide an equal education. My goal is to improve the educational situation at provincial schools and, for that to happen, students need a voice.

The team I work with gathers information from students and puts together lists of recommendations that we can present to government and/or the Ministry of Education in a way that's clear and easy for them to understand. There are so many issues and so many problems that it's easy for them to get confused and overwhelming. This office helps us filter the information in a certain way and helps us target specifically what we are concerned about.

JUAN JARAMILLO

Child and Youth Advocate

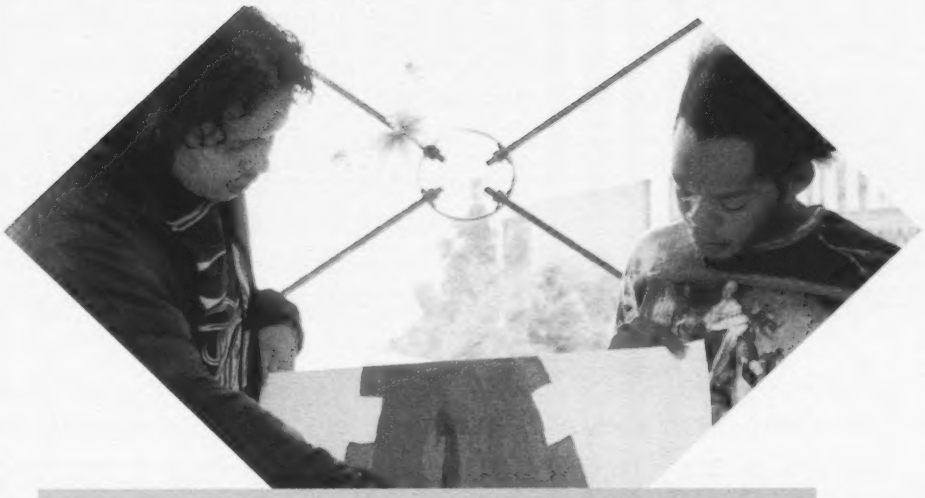
"If a young person feels that their concerns have been heard and understood then I feel I have done my job."

I've been working at the Advocate's Office for five years. My background is in working with children who have special needs, face difficult life circumstances and need support. I often work with Deaf and blind youth, or young people who have a variety of special needs.

As an advocate, I place great importance on the accessibility of services. I believe strongly that all youth have the right to be heard in the language with which they communicate. In my day-to-day work, I communicate with young people in a variety of settings: sometimes I meet with Deaf youth and blind youth in their school cafeterias, assemblies, residences or at our offices. I answer their questions and listen to or watch them share their stories, using American Sign Language (ASL), which is my first language. When needed, I work with ASL and Langue des signes du Québec (LSQ) interpreters so that students attending the school are able to effectively communicate their advocacy needs.

Many laws, standards and regulations are in place but these don't always translate into equitable, accessible and relevant services for the diverse needs of Ontario's young people. My job is to stand with children and youth to ensure their rights are respected and that they receive the care to which they are entitled.

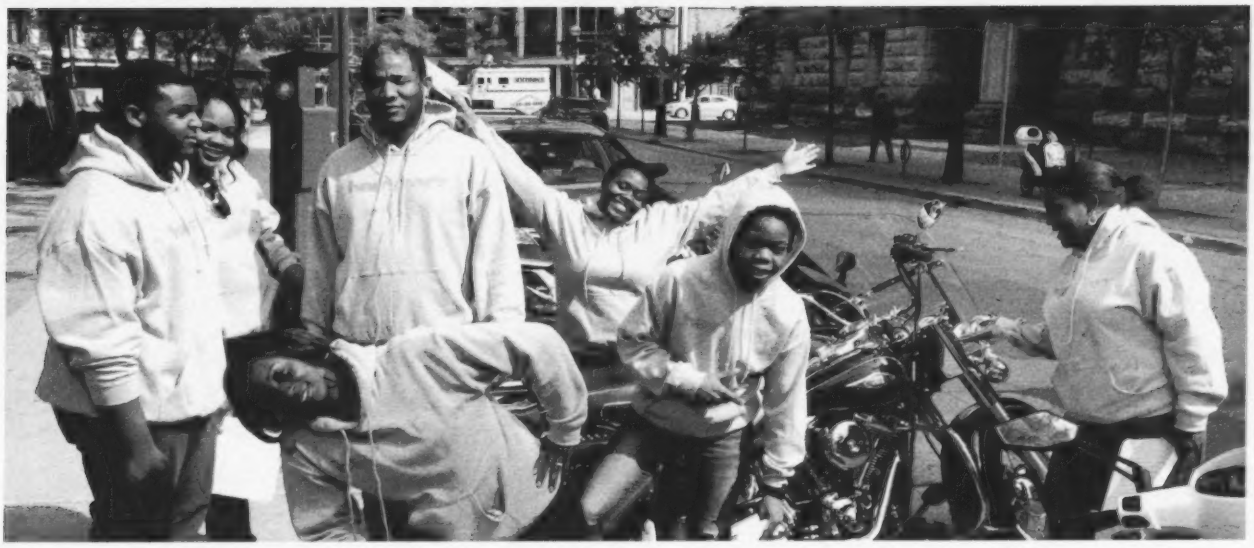
OUTREACH AND RIGHTS EDUCATION



"Helping young people to see that their voice has power and can lead to change is at the heart of all the advocacy work we do."

COMMUNITY DEVELOPMENT ADVISOR

Common to the lives of young people who contact us for assistance is the experience of being marginalized and feeling "left out of our own lives." Through our advocacy work we provide opportunities for young people to see themselves as being capable of creating the change they wish to see in their lives and communities. We bring young people together and encourage them to work with one another to find common cause. Our ultimate purpose is to ensure they know their voices can create change and that their lived experience matters and can inform government and decision makers. Our advocacy and related project work takes many forms and gives young people opportunities to speak from a variety of stances.



HAIRSTORY

The Hairstory project focuses on rights, advocacy, culture and the service needs of Black youth in Ontario's child welfare, youth justice, children's mental health, shelter and other systems of care.

In June 2014, we hosted discussions with Black young people across Ontario. The sessions centered on the root causes of over-representation of Black youth in various care systems. The youth participating in the conversations explored four topics:

1. **Identity** – What it means and how young people view culture personally and in the larger context of society.
2. **Young people's experiences in care** – As they relate to identity issues and the process of leaving care.
3. **Knowledge about the system** – Based on the question, "What do you wish you had known before you entered care?"
4. **Change** – Meaning, "How should systems of care be changed so that Black youth are enabled to grow and develop in ways that are consistent with their identity and cultural beliefs?"

The Hairstory team reviewed the information provided by young people in the dialogue sessions and identified 14 themes of importance to youth. Themes included personal treatment and programming (how programs are run and how Black youth are treated by staff), labels and stigmas (stereotypes from outside and inside the broader Black community) and identity and culture. The team will use ongoing conversations with youth to help find ways to address the themes raised in the dialogue sessions.

LEARN MORE

Participate in Hairstory

WEBSITE
http://provincialadvocate.on.ca/storyofmyhair/index.htm

FACEBOOK
https://www.facebook.com/storyofmyhair

TWITTER
@BeyondOurHair

PRISCELLA MILLWOOD

Youth Amplifier, Hairstory Project

Some of the changes I would like to see in Ontario's systems of care come from my own experience being in it. It is because of this lived experience that I feel I am perfectly situated to make recommendations to government policy-makers, community leaders and community organizations.

What I appreciate most about being part of the Office is the responsibility I have to reach out to other young people in their communities across Ontario, and listen carefully to their experiences. Amplifying their voices and genuinely advocating for the changes they want to see in their systems of care is central to my work. Working closely with the project team has shown me the importance of being flexible and responsive when we're addressing and looking for solutions to challenges. If the teamwork is there, the different opinions, skills and knowledge within the team become a blessing rather than an obstacle to getting things done.

"I want the world to know the term 'empowered to empower.' The Office's model of advocacy involving Youth Amplifiers and adults working together creates an opportunity to gain experience and reflect."

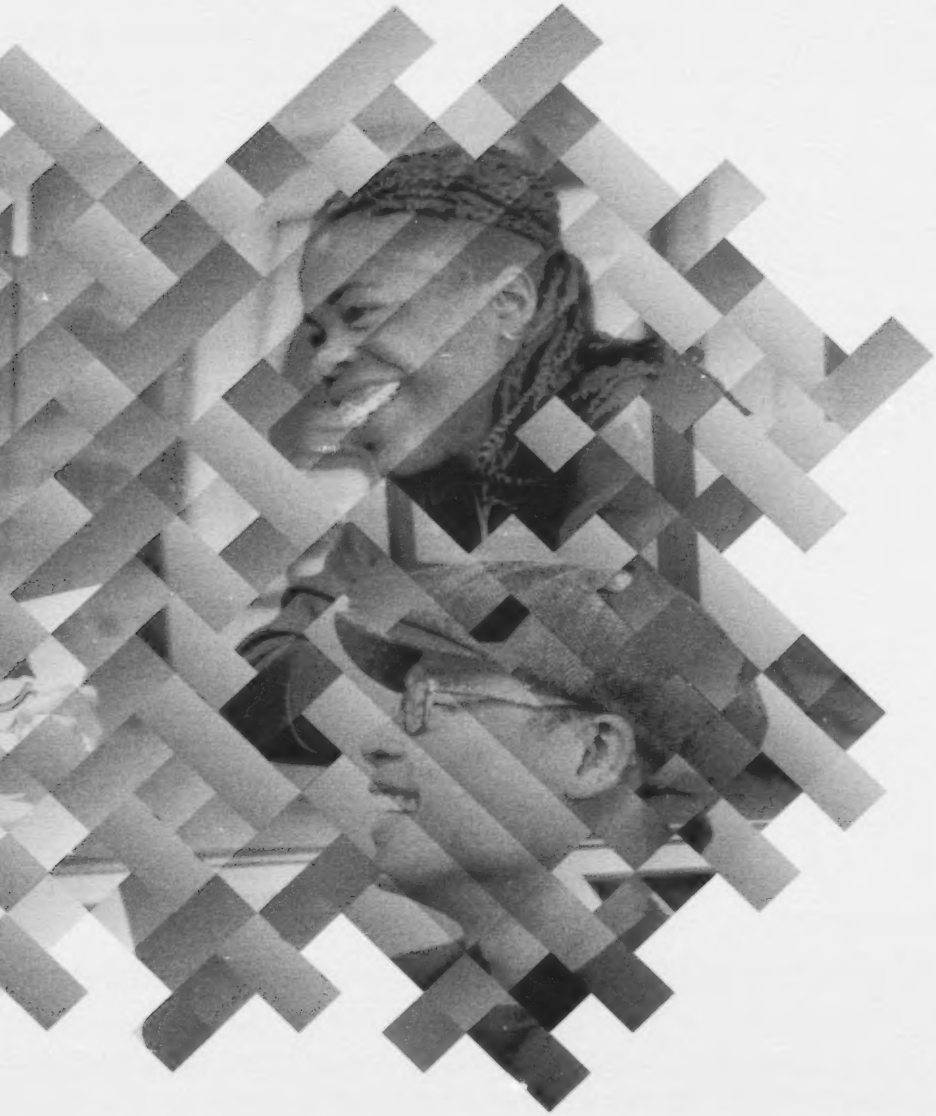
ANDY LEE

Community Development Advisor

My job description defines "community development" as a process where young people come together to take collective action and generate ideas to address issues of common concern and that will help meet their needs. The Hairstory team embodies these principles in its work by ensuring that Black youth impacted by Ontario's systems of care in our Office's mandate are directly involved in the process of naming problems and solutions.

What I appreciate most about working closely with the Youth Amplifiers is the energy and dedication they bring. Their ideas are fresh and exciting and connected to the interests of other young people. We need to really understand the importance of creating policies and programs for young people that are anchored in a developmental process that includes young people and adults working together.

Our Office projects, like Hairstory, are designed to empower and nurture young people who can learn to make their own changes and stand up for one another and their communities.



"Youth Amplifiers are part of the project team and part of planning meetings where they can question ideas, provide feedback and add their own vision to the work being undertaken. We are a team and, like all teams, we get the best work done when we are all sharing our ideas about the project."

"Having Amplifiers and Community Development Advisors working together brings a great balance of wisdom and knowledge, with youth voicing experiences and knowledge of their own."

DENISE DUNN

Youth Amplifier, Hairstory Project

Through Hairstory I am able to make connections with young people and leaders within and beyond the broader Black community.

I have experience working within the Black community and a diploma in Child and Youth work. My time with the Office is really a stepping stone to becoming a career advocate for policies that address the over-representation of Black youth in Ontario's care systems. Working with the Hairstory team has enabled me to gain important skills – breaking down and tackling complex tasks, elevating my voice in issues of importance to me and in my workplace and improving my presentation and communication skills, to name a few. This kind of work gives me training and experience that will serve me well as my career evolves.

While here at the Office I will continue to focus on creating deeper discussions with government policy makers and community leaders about why Black youth are over-presented in the care system and what can be done to help rectify this situation.

THE EXPERIENCE OF BLACK YOUTH

8.6% OF BLACK STUDENTS ARE SUSPENDED FROM SCHOOL.[1]

3X MORE BLACK STUDENTS THAN WHITE STUDENTS ARE SUSPENDED.[2]

23% OF AFRICAN CANADIAN STUDENTS IN THE TORONTO DISTRICT SCHOOL BOARD DROP OUT COMPARED TO

12% FOR WHITE STUDENTS.[3]

4X MORE AFRICAN CANADIAN BOYS ARE IN ONTARIO JAILS THAN THEIR PROPORTION OF THE PROVINCE'S GENERAL POPULATION OF YOUNG MALES.[4]

FOR WHITE BOYS AND BOYS OF OTHER ETHNICITIES, THERE IS NO SUCH OVERREPRESENTATION.[5]

1. http://www.thestar.com/news/gta/2013/03/22/toronto_school_suspension_rates_highest_for_black_and_aboriginal_students.html
2. ibid.
3. http://www.tdsb.on.ca/Portals/0/Community/Community%20Advisory%20committees/ICAC/research/September%202012%20Cohort%20dataAcrobat%20Document.pdf
4. http://www.thestar.com/news/insight/2013/03/01/unequal_justice_aboriginal_and_black_inmates_disproportionately_fill_ontario_jails.html
5. ibid.

NATIONAL CHILD DAY "LISTENING TOUR"

Canada is reviewed by the United Nations Committee on the Rights of the Child every five years. The next review of Canada is in 2018. In the past, a committee organized by the federal government has been responsible for putting together Canada's report to the UN. A representative from each province sits on the committee and is responsible for bringing forward their province's contribution to Canada's report. In Ontario, a lawyer from the Ministry of the Attorney General collated information from all ministries about what they were doing for children and youth and brought this information to the federal government. This was done in silence and out of the public eye. There was no publication of Ontario's report on how we are doing as a province in terms of living up to the implementation of the UN Declaration on the Rights of the Child. Our Office wants this process to change. For children in our mandate this process reflects a broken promise. We believe that reporting to the UN should be a public process and conversation. It should involve children and youth and include their voices. We hope to encourage and spark such a process in Ontario in 2017-18.

This year we started a process to help build toward a more transparent feedback process. In honour of the 25th anniversary of the signing of the *United Nations Convention on the Rights of the Child* (UNCRC) the Advocate's Office launched a 10-day "listening tour" in November, 2014. The tour was tied to the 25th anniversary of the passing of the UNCRC and the International Day of the Child. Our goal was to meet with young people around the province and listen to them to obtain a sense of how Ontario is living up to its commitment to the UNCRC. We hope that this and future listening tours will lead to greater breadth and transparency in Ontario's process for gathering the information it uses to assess its commitment to the convention.

We met with groups of children and youth in all areas of our mandate: grades 4 and 5 children in Wikwemikong First Nation, young people in youth justice facilities, youth in the care of children's aid societies or receiving mental health services, youth in residential settings, young people in schools for children with special education needs, rural youth in care centres and homeless youth in shelters across the province.

More than 400 children and youth talked with us about their life situations, their hopes and dreams, the challenges they have experienced and about what needs to be done to better their lives. What the Office heard during these dialogue sessions reinforced what young people brought forward through *My REAL Life Book* and *Feathers of Hope: A First Nations Youth Action Plan*. These reports were put together by children and youth in care of Ontario's children's aid societies and by northern First Nations youth with support from the Office. Common themes stated in the documents include:

- We are vulnerable.
- We are isolated.
- We are left out of our lives.
- Our communities are not a priority.
- No one is really there for us.
- Care and services are unpredictable.
- We don't have the services and resources we need.
- We keep losing who we are – our cultures, identities and lives matter.

More specific concerns included limited food resources, no proximity to parents because of a lack of schools/facilities near their homes, a feeling of being disrespected by staff at facilities, feelings of hopelessness about being "stuck" in the system, and lack of education and employment opportunities (a point that was overwhelming, particularly for First Nations youth living on reserve).

The Office has plans to produce a summary report from the tour and will conduct the tour annually.

YOU ARE NOT ALONE

The Office launched You Are Not Alone (YANA) during Toronto Pride Week in 2012 to help make a difference in the lives of lesbian, gay, bisexual, trans, queer/questioning, 2-spirit (LGBTQ2S) youth. YANA has two central aims. The first is to elevate the voices of LGBTQ2S children and youth in the Office's mandate. The second is to educate young people and service providers about the specific rights of these children and youth.

In our work with young people who identify as LGBTQ2S we have been told repeatedly that it is common for them or their peers who identify as LGBTQ2S to experience high rates of depression, feelings of isolation, rejection by family and friends, suicidal ideation and suicide. They also tell us that LGBTQ2S youth in care are more isolated and vulnerable than non-LGBTQ2S youth in care.

YANA helps young people connected to the child welfare, children's mental health and youth justice systems, enabling them to share their experiences and ideas about how to make the system more supportive of LGBTQ2S youth. The Office wants all children and youth in our mandate to know we support them and that they have a right to feel safe and free from discrimination regardless of their sexual or gender identity.

BE OUR ALLY CAMPAIGN

In June 2014, the Advocate's Office announced the "Be Our Ally" campaign as part of the YANA project. Be Our Ally encourages service providers in Ontario's care system to be allies to LGBTQ2S youth and create safe environments that promote acceptance and respect. The project team turned its focus this year to developing and launching a toolkit of

A SNAPSHOT OF YOUNG PEOPLE IN ONTARIO

1/7 OF ONTARIO'S CHILDREN LIVES IN POVERTY.[1]

1/4 FIRST NATIONS CHILDREN LIVES IN POVERTY.[2]

18,000 CHILDREN WERE UNDER THE CARE OF THE STATE IN 2009.[3]

1. Family Service Toronto. (2014). Report Card on Child and Family Poverty in Ontario. http://www.campaign2000.ca/anniversaryreport/ONRC2014EN.pdf
2. ibid.
3. Ontario Association of Children's Aid Societies. (2009). Your Children's Aid: Child Welfare Report 2009/2010.

"I feel left out of my own life often. There are a lot of things going on about me between the CAS worker and my foster mom that I don't know anything about."

YOUTH

"I find that when you are an Aboriginal going to public school or Catholic school, they try to push you into special education; none of the white kids. They always think we are dumb and we won't succeed in life. But if you give us a chance and better schooling then we can all succeed."

FIRST NATIONS YOUTH

"I don't think it's right that we lose our language."

FIRST NATIONS YOUTH

"I have never consented to anything. They don't care about what I think. I feel I have no say in anything."

YOUTH

resources for children and youth. A video developed as part of the Be Our Ally campaign was screened at the World Pride Human Rights Conference in Toronto in June 2014.

A BETTER NET FORUM

The Office's #ABetterNet Forum on social media's unintended consequences for children and youth was our first ever live-streamed event. It was a great success! The house was full and debate between panelists was heated and engaging. A youth panelist from the Students Commission[1] was able to contextualize the positions of all panelists, as well as the audience, and connect the various conversation threads. The Students Commission is examining issues related to safety – particularly gender-related safety – for youth using the Internet. The group will continue to work with the Advocate's Office to connect youth with the recorded event and obtain their thoughts about what was said.

ADVOCACY 2.0

Advocacy 2.0 meets children and youth where they come together and connect – largely online – and encourages them to participate in Office projects and share their ideas. In 2014–15 we made significant progress integrating our advocacy work with the online world where young people "hang out". Young people in Ontario and in many parts of the world are "digital natives" who were born into a connected world and where technology is a natural extension of their lives and the activities of daily living. They can feel lost, disconnected and unable to engage in their day-to-day lives without access to their mobile technologies. Drawing on the experience of our staff, especially the Youth Amplifiers who work with the Office, we continue to advance an integrated technology strategy that allows us to create an online presence that, like our offices in Toronto and Thunder Bay, reflects the look, feel and sense of welcome and acceptance young people expect from us.

We have several goals starting with a new website and a more integrated social media strategy that builds on the success we have had mobilizing young people and stakeholders and providing information and advocacy resources to more young people. Central to this strategy will be the development of a sustainable online community that works in mobile and smart phone environments, as these are the forms of technology that work for young people.

LEARN MORE

Participate in

You Are Not Alone

WEBSITE

http://provincialadvocate.on.ca/youarenotalone/en/index.html

FACEBOOK

https://www.facebook.com/You-Are-Not-Alone-1563847211018157/

TWITTER

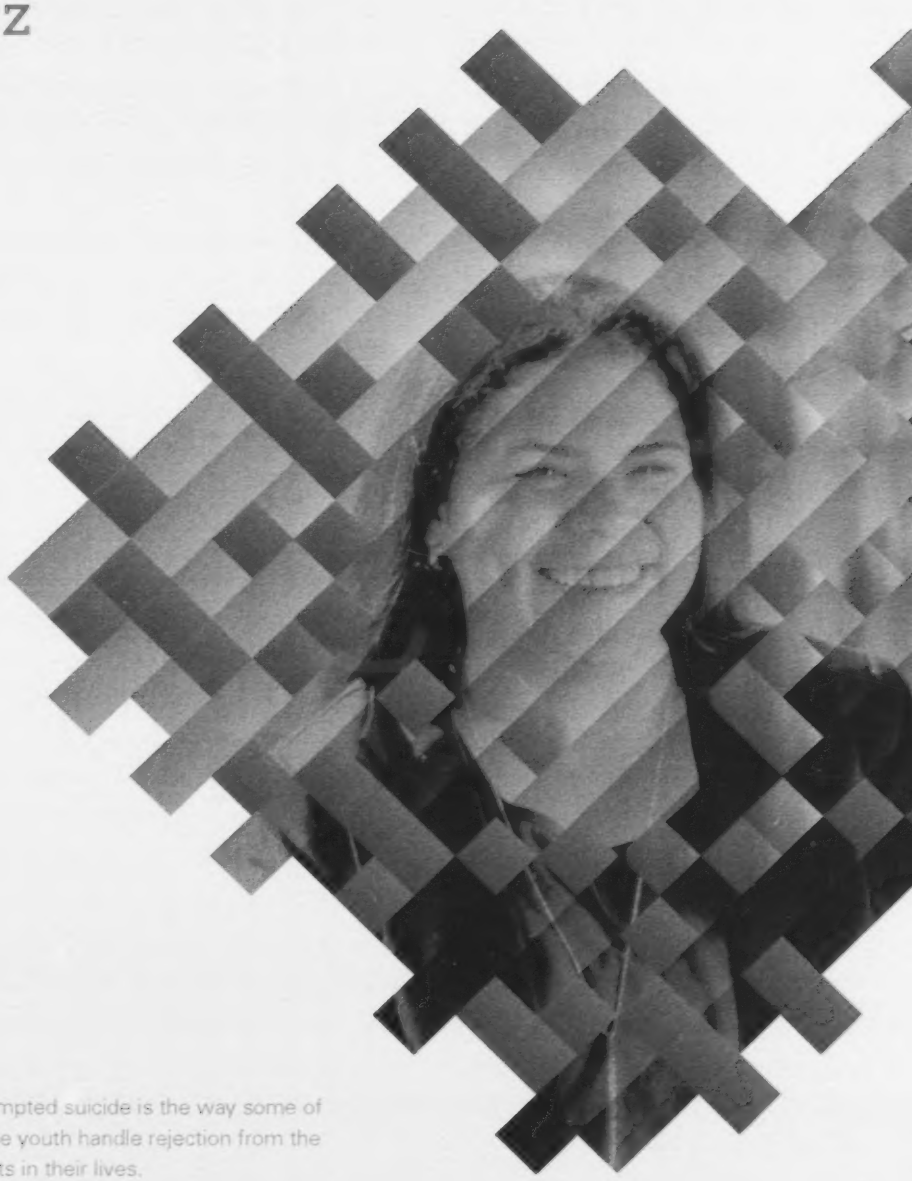
@OFAOYANA

1 The Students Commission was founded in 1991. Based in Toronto, it is as an independent, charitable, non-governmental organization, supporting young people to participate in the activities of local, provincial, national and international organizations and governments. It's with a mission to help young people put their ideas for improving themselves, their communities and their world into action.

YESSINIA VASQUEZ

Youth Amplifier, YANA

"Youth Amplifiers are reminders that no matter what government system you come from you can always succeed in life."



I'm passionate about the YANA project, having grown up in the child welfare system since the age of eight and having struggled with my sexual identity when I lived in group homes.

It's important that we focus on the issues YANA is tackling because children and youth are talking about them amongst themselves. But most of the time, the adults in the lives of these children don't realize how important education is in helping children and youth, as well as adults, create a more inclusive environment. You hear stories around Ontario about how suicide or attempted suicide is the way some of these youth handle rejection from the adults in their lives.

It's important that young people and adults work together on YANA. Without knowing the lived experience of children and youth, the Community Development Advisors and advocates may not understand and use the correct language for making change effective.

SANDY WYNIA-KATZ

Child and Youth Advocate

"I feel honoured to hear the stories of young people and to work alongside them, supporting them to elevate their voices, advocate for themselves and create communities where everyone's rights are realized."

Young people have taught me a number of difficult truths. These include what it's like to be moved suddenly and live with strangers and be told to trust them, what it's like to express one's gender to a social worker when it doesn't match what others see, and what it's like when those who are meant to care for you hurt you emotionally and physically.

As an Office we work with young people so they can advocate for themselves and create communities where everyone's rights are realized. Young people need to be at the centre of creating solutions that work for them. It is a key principle driving the work we do.

STATEMENT OF EXPENDITURE

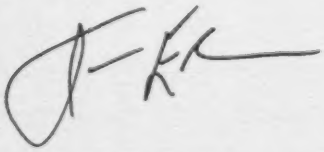
FOR THE YEAR ENDED MARCH 31, 2015

	Budget For the year ended **March 31, 2015** (Note 6)	Actual For the year ended **March 31, 2015**	For the year ended **March 31, 2014**
	2015 $	2015 $	2014 $
SALARIES & WAGES	3,993,900	3,686,057	3,485,760
EMPLOYEE BENEFITS (Note 4)	918,600	717,141	685,867
TRANSPORTATION & COMMUNICATION	851,200	1,322,464	911,504
SERVICES	2,923,000	2,059,378	2,564,343
SUPPLIES & EQUIPMENT	130,400	285,827	130,972
TOTAL	**8,817,100**	**8,070,867**	**7,778,446**

COMMITMENTS (Note 5)

SEE ACCOMPANYING NOTES TO FINANCIAL STATEMENT

APPROVED



IRWIN ELMAN,
PROVINCIAL ADVOCATE FOR CHILDREN & YOUTH

NOTES TO FINANCIAL STATEMENT

For the Year Ended March 31, 2015

1. BACKGROUND

The Provincial Advocate for Children and Youth Act, 2007 was enacted to provide an independent voice for children and youth. The Office of the Provincial Advocate for Children and Youth (Office) serves children and youth in state care and the margins of state care through individual, systemic and policy advocacy. The Office is mandated to strive to be an exemplar in youth participation at all levels of its work. The Office is also mandated to take a special interest in children and youth with special needs, First Nations children and youth, children and youth in Ontario's schools for the deaf and blind and Ontario's Demonstration schools.

2. SIGNIFICANT ACCOUNTING POLICES

The Office, as part of the Legislative Assembly Fund, follows the modified cash basis of accounting, which allows an additional 30 days to pay for expenditures incurred during the year just ended. This differs from Canadian public sector accounting standards in that, for example, under the modified cash basis of accounting liabilities incurred but unpaid within 30 days of the year just ended are not recorded until paid, and expenditures for assets such as computers and office furnishing are expensed in the year of acquisition rather than recorded as fixed assets and amortized over their useful lives.

3. EXPENDITURES

Expenditures are paid out of monies appropriated by the Legislative Assembly of Ontario. These monies are part of the Legislative Assembly Fund. Expenditures are reported net of recoverable sales tax, which is recovered by the Office of the Assembly on the Office's behalf.

Financial and human resources services are provided by the Office of the Assembly without charge.

4. EMPLOYEE BENEFITS

The Office's permanent employees (and non-permanent employees who elect to participate) participate in the Public Service Pension Fund (PSPF) which is a defined benefit pension for employees of the Province and many provincial agencies. The Province of Ontario, which is the sole sponsor of the PSPF, determines the Office's annual payments to the fund. As the sponsor is responsible for ensuring that the pension fund is financially viable, any surpluses or unfunded liabilities arising from statutory actuarial funding valuations are not assets or obligations of the Office. The Office's required annual payments of $259,100 (2014 – $247,000) are included in employee benefits.

The cost of unused vacation and earned legislated severance entitlements are recorded in the Statement of Expenditure when paid.

The cost of post-retirement non-pension benefits is paid by the Province and is not included in the Statement of Expenditure.

5. COMMITMENT

The Office has extended its current lease agreement with its landlord for its head office premises expiring on November 19, 2019. A-two year lease agreement was also signed for an office location in Thunder Bay ending on June 30, 2016.

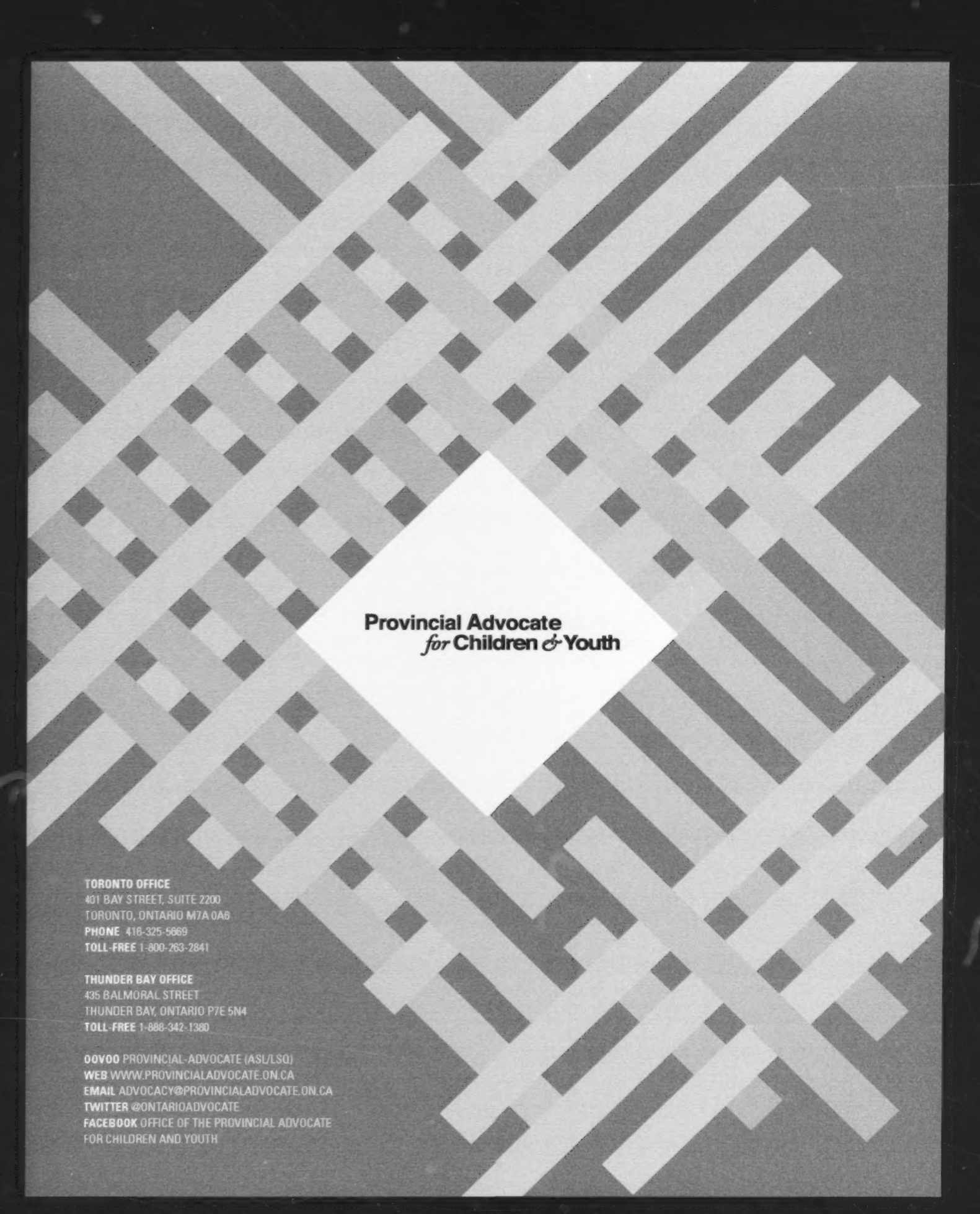
The minimum lease payments for the remaining terms of both leases are as follows:

	TOTAL
2016	288,700
2017	284,700
2018	283,500
2019	295,100
THEREAFTER	201,900
	1,353,900

The Office is committed to pay its proportionate share of realty taxes and operating expenses for the premises, which amounted to $261,500 during 2014.

4. BUDGETED FIGURES

The budget was prepared by the Office and approved by the Board of Internal Economy – an all-party legislative committee.



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